

Tabled**Adopted**

ON FEBRUARY 1, 2000

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 21, 1999, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Villella, and upon roll being called, the following were

PRESENT: Supervisor Villella
 Member Cardinale
 Member Kent
 Member Kwasna
 Member Lull

ABSENT:

The following resolution was offered by Member
Cardinale, who moved its adoption, seconded by
Member Lull, to-wit:

RESOLUTION DATED DECEMBER 21, 1999.

A RESOLUTION DESIGNATING ISLAND WATER PARK AS A QUALIFIED AND ELIGIBLE SPONSOR FOR REDEVELOPMENT OF APPROXIMATELY FORTY ACRES OF VACANT LAND AND AUTHORIZING THE SALE BY THE AGENCY OF SUCH PROPERTY TO ISLAND WATER PARK FOR REDEVELOPMENT.

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") is the owner of an approximately 2,900 acre parcel of land, together with the buildings located thereon, in Riverhead, which land is known as the former Naval Weapons Industrial Reserve Plant, Calverton (the "Calverton Site") a portion of which Calverton Site is located within an economic development zone duly designated as such pursuant to the New York State Economic Development Zones Act, being Article 18-B of the General Municipal Law; and

WHEREAS, there has been submitted to the Agency a proposal for, and the Agency is considering, (i) designating Island Water Park the "qualified and eligible sponsor" (the "Sponsor"), pursuant to Section 507(2)(c) and (d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for the redevelopment of approximately 40 acres of vacant land of the Calverton Site, together with any buildings located thereon, leases, licenses and occupancy agreements related thereto and other rights in connection therewith (the "Property"), and (ii) selling the Property, pursuant to Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law, to Island Water Park pursuant to a certain Agreement of Sale by and between the Agency and Island Water Park (the "Agreement of Sale"), for \$680,000 for redevelopment by

Island Water Park as a water park for outdoor recreational use;
and

WHEREAS, Sections 556(2), 507(2)(c) and (d) and 968(b) of the General Municipal Law require that a public hearing, following at least ten days public notice, be held by the Agency on the question of designating Island Water Park the Sponsor for the redevelopment of the Property and selling the Property to Island Water Park; and

WHEREAS, the Town of Riverhead (the "Town"), pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") has by Resolution Number 614 of 1998 accepted a final generic Environmental Impact Statement upon the redevelopment of the Calverton Site and has further adopted a Findings Statement contemplating the sale of the Real Property or a portion thereof; and

WHEREAS, the Agency, pursuant to SEQRA, declared itself "lead agency" by Resolution dated December 7, 1999, for the sale of the Property to Island Water Park, determined such sale of the Property to be a Type I Action pursuant to SEQRA, determined that such sale of the Property is in conformance with such Findings Statement resulting from such Generic Environmental Impact Statement and determined that such sale of the Property does not pose significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared pursuant to SEQRA; and

WHEREAS, on December 21, 1999, the Agency duly held said public hearing on the designation of Island Water Park as the

Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Island Water Park, as Sponsor, after the requisite public notice; and

WHEREAS, a majority of the Town Board of the Town, acting as Members of the Agency, attended such public hearing; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. Based upon the public hearing held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on December 21, 1999 at 2:30 o'clock P.M., Prevailing Time, on the question of designating Island Water Park the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Island Water Park, it is hereby determined to designate Island Water Park the Sponsor pursuant to Section 507(2)(d) of the General Municipal Law for the redevelopment of the Property.

Section 2. The form and substance of the Agreement of Sale (in substantially the form presented to this meeting) are hereby approved.

Section 3. Based upon the public hearing held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on December 21, 1999 at 2:30 o'clock P.M., Prevailing Time, on the question of designating Island Water Park the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Island Water Park, the sale of the Property by the Agency to Island Water Park is hereby authorized in accordance with Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law and in accordance with the terms of the Agreement of Sale.

Section 4. The Chairman of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Agreement of Sale and the Deed attached to the Agreement of Sale and to execute and deliver such other documents and certificates as may be necessary or convenient to properly effectuate the sale of the Property by the Agency to Island Water Park in accordance with this Resolution and the Agreement of Sale and the Secretary of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, where necessary.

Section 5. The Chairman of the Agency is hereby authorized and directed to distribute copies of this Resolution to Island Water Park and to do such further things and perform such acts as may be necessary or convenient to implement the provisions of this Resolution and the Agreement of Sale.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Villella</u>	VOTING	<u>Yes to Table</u>
<u>Councilman Cardinale</u>	VOTING	<u>Yes to Table</u>
<u>Councilman Kent</u>	VOTING	<u>Yes to table</u>
<u>Councilman Kwasna</u>	VOTING	<u>Yes to table</u>
<u>Councilman Lull</u>	VOTING	<u>Yes to table</u>

The resolution was thereupon declared duly adopted.

* * * *

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ~~ADOPTED~~
TABLED

FEBRUARY 1, 2000

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL.

ALL COUNCILMEN IN FAVOR OF UNTABLING THE RESOLUTION.

THE RESOLUTION WAS THEREUPON DECLARED TO BE BROUGHT OFF THE TABLE.

COUNCILMAN KENT OFFERED THE RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY COUNCILMAN LULL.

ALL IN FAVOR OF ADOPTION OF THE RESOLUTION
THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED.

Tabled

Adopted

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on December 21, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)

of posted notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on _____, 1999.

Secretary

(CORPORATE SEAL)

Newspaper and/or other news media

Date given

n/a

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting

n/a

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on December 21, 1999.

Andrew Johnson
Secretary

State of New York)
County of Suffolk) ss:
Town of Riverhead

THIS IS TO CERTIFY that I, the undersigned, Secretary/Treasurer of the Riverhead Community Development Agency, Town of Riverhead, County of Suffolk, have compared the foregoing copy with the original now on file in this office and which was duly filed on the 22nd day of December 1999, and that the same is a true and correct transcript of said and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the said Riverhead Community Development Agency, this 22nd day of December 1999.

Andrew Johnson

3/21/2000.

CDA RESOLUTION # 25 (1999)

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the town of Riverhead Town Hall, 200 Howell Ave. in Riverhead in said town on March 21, 2000 at 5:29 pm, prevailing time.

The meeting was called to order by Chairman Kozakiewicz and upon roll being called the following were present:

Kozakiewicz
Cardinale
Densieski
Kent
Lull

A resolution was offered by Member Kent who moved its adoption, seconded by Member Cardinale to take CDA Resolution # 25 off the table for consideration. The vote: Densieski – yes; Cardinale – yes; Kent – yes; Lull – yes; Kozakiewicz – yes. The resolution was adopted.

Resolution 25 was offered by Member Kent, who moved its adoption, seconded by Member Cardinale to **designate Calverton/Camelot LLC as a qualified and eligible sponsor for redevelopment of approximately four hundred seventy-two acres of land, together with the buildings located thereon, and authorizing the sale by the agency of such property and related rights to Calverton/Camelot LLC for redevelopment.**

THE VOTE; Densieski – NO; Cardinale – YES; Kent – YES; Lull – YES;
Kozakiewicz – YES.

THE RESOLUTION IS ADOPTED.

State of New York)
County of Suffolk) ss:
Town of Riverhead

THIS IS TO CERTIFY that I, the undersigned, Secretary/Treasurer of the Riverhead Community Development Agency, Town of Riverhead, County of Suffolk, have compared the foregoing copy with the original now on file in this office and which was duly filed on the 23rd day of March 2000, and that the same is a true and correct transcript of said and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the said Riverhead Community Development Agency, this 23rd day of March 2000.


Secretary/Treasurer of the Community Development Agency

Adopted

MARCH 21, 2000

Tabled

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 21, 1999, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Villella, and upon roll being called, the following were

PRESENT: Supervisor Villella
 Member Cardinale
 Member Kent
 Member Kwasna
 Member Lull

ABSENT:

The following resolution was offered by Member Cardinale, who moved its adoption, seconded by Member Lull, to-wit:

RESOLUTION DATED DECEMBER 21, 1999.

A RESOLUTION DESIGNATING CALVERTON/CAMELOT LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR REDEVELOPMENT OF APPROXIMATELY FOUR HUNDRED SEVENTH-TWO ACRES OF LAND, TOGETHER WITH THE BUILDINGS LOCATED THEREON, AND AUTHORIZING THE SALE BY THE AGENCY OF SUCH PROPERTY AND RELATED RIGHTS TO CALVERTON/CAMELOT LLC FOR REDEVELOPMENT.

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") is the owner of an approximately 2,900 acre parcel of land, together with the buildings located thereon, in Riverhead, which land is known as the former Naval Weapons Industrial Reserve Plant, Calverton (the "Calverton Site") a portion of which Calverton Site is located within an economic development zone duly designated as such pursuant to the New York State Economic Development Zones Act, being Article 18-B of the General Municipal Law; and

WHEREAS, there has been submitted to the Agency a proposal for, and the Agency is considering, (i) designating Calverton/Camelot LLC, a limited liability corporation organized and existing under the laws of New York, the "qualified and eligible sponsor" (the "Sponsor"), pursuant to Section 507(2)(c) and (d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for the redevelopment of approximately 472 acres of the Calverton Site, together with the buildings located thereon, leases, including the existing NTSB lease, as amended, licenses and occupancy agreements related thereto and other rights in connection therewith (the "Property"), and (ii) selling the Property, pursuant to Sections 507(2)(d), 556(2) and 968(b) of the General

Municipal Law, to Calverton/Camelot LLC pursuant to a certain Agreement of Sale dated as of June 15, 1999 by and between the Agency and Calverton/Camelot LLC which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale") for \$17,000,000 for redevelopment by Calverton/Camelot LLC for industrial and, or, commercial purposes; and

WHEREAS, Sections 556(2), 507(2)(c) and (d) and 968(b) of the General Municipal Law require that a public hearing, following at least ten days public notice, be held by the Agency on the question of designating Calverton/Camelot LLC the Sponsor for the redevelopment of the Property and selling the Property to Calverton/Camelot LLC; and

WHEREAS, the Town of Riverhead (the "Town"), pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") has by Resolution Number 614 of 1998 accepted a final generic Environmental Impact Statement upon the redevelopment of the Calverton Site and has further adopted a Findings Statement contemplating the sale of the Real Property or a portion thereof; and

WHEREAS, the Agency, pursuant to SEQRA, declared itself "lead agency" by Resolution dated December 7, 1999, for the sale of the Property to Calverton/Camelot LLC, determined such sale of the Property to be a Type I Action pursuant to SEQRA, determined that such sale of the Property is in conformance with such Findings

Statement resulting from such Generic Environmental Impact Statement and determined that such sale of the Property does not pose significant impacts to either the natural or social environment and that a Supplemental Environmental Impact Statement need not be prepared pursuant to SEQRA; and

WHEREAS, on December 21, 1999, the Agency duly held said public hearing on the designation of Calverton/Camelot LLC as the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Calverton/Camelot LLC, as Sponsor, after the requisite public notice; and

WHEREAS, a majority of the Town Board of the Town, acting as Members of the Agency, attended such public hearing; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. Based upon the public hearing held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on December 21, 1999 at 2:40 o'clock P.M., Prevailing Time, on the question of designating Calverton/Camelot LLC the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Calverton/Camelot LLC, it is hereby determined to designate Calverton/Camelot LLC the Sponsor pursuant to Section 507(2)(d) of the General Municipal Law for the redevelopment of the Property.

Section 2. Based upon the public hearing held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on December 21, 1999 at 2:40 o'clock P.M., Prevailing Time, on the question of designating Calverton/Camelot LLC the Sponsor for the

redevelopment of the Property and the sale of the Property by the Agency to Calverton/Camelot LLC, the sale of the Property by the Agency to Calverton/Camelot LLC is hereby authorized in accordance with Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law and in accordance with the terms of the Agreement of Sale.

Section 3. The Chairman of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Deed and Bill of Sale attached to the Agreement of Sale and to execute and deliver such other documents and certificates as may be necessary or convenient to properly effectuate the sale of the Property by the Agency to Calverton/Camelot LLC in accordance with this Resolution and the Agreement of Sale and the Secretary of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, where necessary.

Section 4. The Chairman of the Agency is hereby authorized and directed to distribute copies of this Resolution to Calverton/Camelot LLC and to do such further things and perform such acts as may be necessary or convenient to implement the provisions of this Resolution and the Agreement of Sale.

Section 5. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Villella</u>	VOTING	<u>Yes to table</u>
<u>Member Cardinale</u>	VOTING	<u>Yes to table</u>
<u>Member Kent</u>	VOTING	<u>Yes to table</u>
<u>Member Kwasna</u>	VOTING	<u>Yes to table</u>
<u>Member Lull</u>	VOTING	<u>Yes to table</u>

The resolution was thereupon declared duly adopted.

* * * *

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ~~WAS NOT~~

THEREUPON DULY DECLARED ~~ADOPTED~~

Adopted

Tabled

MARCH 21, 2000 REGULAR TOWN BOARD MEETING

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN CARDINALE.

ALL BOARD MEMBERS IN FAVOR OF UNTABLING THE RESOLUTION.

COUNCILMAN KENT OFFERED THE RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY COUNCILMAN CARDINALE.

THE VOTE: DENSIESKI, NO, CARDINALE, YES, KENT, YES, LULL, YES, AND KOZAKIEWICZ, YES. THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED.

Adopted

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on December 21, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)

of posted notice _____

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on _____, 1999.

Secretary

(CORPORATE SEAL)

12/21/99

Town of Riverhead Community Development Agency

Adopted

Resolution # 26

Authorizes Chairman to Execute a Contract with New York State Department of Economic Development for the 1999-2000 Economic Development Zone Administrative Grant

Member Cardinale offered the following resolution,

which was seconded by Member Lemt:

WHEREAS, the Town of Riverhead Community Development Agency is the administrative agency for the local economic development zone administrative board known as the Calverton Zone Administrative Board; and

WHEREAS, the New York State Department of Economic Development has awarded \$46,000 to the CDA for administrative costs associated with marketing and operation of the zone; and

WHEREAS, the Town of Riverhead will provide \$23,000 in in-kind services and Suffolk County will provide cash in the amount of \$23,000 for a total annual budget of \$92,000; and

THEREFORE, BE IT RESOLVED, that the CDA hereby authorizes the Chairman to execute a contract for funds in the amount of \$46,000.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss and EDZ Coordinator Gloria Ingegno.

The Vote:

Member Cardinale	<u>Yes</u>
Member Kent	<u>Yes</u>
Member Kwasna	<u>Yes</u>
Member Lull	<u>Yes</u>
Chairman Villella	<u>Yes</u>

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

AGREEMENT dated as of July 1, 1999, by and between the NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT, with offices located at 30 South Pearl Street, Albany, New York 12245 (the "Department"), and the TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY a municipal corporation, with offices located at 200 Howell Avenue, Riverhead, New York 11901 (the "Contractor").

WHEREAS, an area of Suffolk, New York has been designated as an economic development zone (the "Zone") pursuant to Sections 958 and 960 of the General Municipal Law; and

WHEREAS, the Town of Riverhead Community Development Agency (the "Town") has established a local economic development zone administrative board (the "Board") for the Zone pursuant to Sections 957 and 963 of the General Municipal Law; and

WHEREAS, the Department is empowered by Section 963 of the General Municipal Law to make available financial support to assist with the administrative expenses of local economic development zone administrative boards; and

WHEREAS, the Commissioner of the Department is empowered by Section 959 of the General Municipal Law to coordinate, with local economic development zone administrative boards, the provision of business development programs and services for economic development zones, in order to stimulate the creation and development of new, small businesses, including new, small, minority and women owned business enterprises; and

WHEREAS, the 1999-2000 New York State Budget appropriated \$2,900,000 to the Department for grants to local economic development zone administrative boards for operating expenses and for technical assistance to minority and women-owned business enterprises; and

WHEREAS, the Contractor is a duly appointed agent of the Board possessing actual and express authority to act on behalf of the Board with respect to the subject matter of this Agreement and has applied for such financial assistance on behalf of the Board; and

WHEREAS, the Department has approved such application; and

WHEREAS, the Contractor is a non-sectarian entity;

NOW, THEREFORE, the parties hereto agree as follows:

I. DUTIES AND RESPONSIBILITIES OF THE CONTRACTOR.

A. Services.

1. In addition to the services described in detail in the Contractor's application, attached as Appendix B hereto, the Contractor shall:

(a) prepare, update and implement, after consultation with the Department, a strategic economic development plan, commonly known as the Zone Annual Program Plan as described in Section 963(b)(i) of the General Municipal Law, for the Zone, which enumerates program objectives and specific service goals to be accomplished and the process to be used to monitor and evaluate performance against such goals and objectives, and which further conforms to the Zone development plan requirements of Section 962 of the General Municipal Law, set forth in Appendix C hereto;

(b) carry out the responsibilities established by Section 963(b) of the General Municipal Law, set forth in Appendix D hereto;

(c) prepare an annual report in accordance with the requirements of Section 963(c) of the General Municipal Law, set forth in Appendix E hereto;

(d) assist the Local Zone Certification Officer, when requested, in disseminating applications for certification to Zone businesses, aiding Zone businesses in preparing certification applications, reviewing applications for completeness, and monitoring and evaluating the performance of certified zone businesses in complying with the representations contained in their certification applications relating to investment and job creation;

(e) explain Zone benefits and incentives available to certified Zone businesses and assist certified businesses in applying for benefits and incentives;

(f) assist the Local Zone Certification Officer, when requested, in collecting Business Annual Reports, when due, from certified Zone businesses, assisting certified Zone businesses in preparing such reports, and reviewing such reports for completeness; and

(g) stimulate the creation and expansion in the Zone of new and existing minority and women-owned business enterprises, as more fully described in the Contractor's application, attached hereto as Appendix B:

(i) for the purposes of this paragraph, a "minority business enterprise" means any business enterprise, authorized to do business in this State, including a sole proprietorship, partnership, or corporation that is at least fifty-one percent (51%) owned by one or more minority group members; an enterprise in which such ownership is real, substantial and continuing, and in which such minority ownership has and exercises the authority to control and operate, independently, the day-to-day business decisions of the enterprise;

(ii) for the purposes of this paragraph, a "women-owned business enterprise" means a business enterprise, authorized to do business in this State, including a sole proprietorship, partnership or corporation that is at least fifty-one percent (51%) owned by one or more United States citizens or permanent resident aliens who are women, where the ownership interest is real, substantial and continuing, and such women ownership has and exercises the authority to control independently the day-to-day business decisions of the enterprise;

(iii) for the purposes of this paragraph, a "minority group member" means a United States citizen or permanent resident alien who is and can demonstrate membership in one of the following groups:

(A) Black persons having origins in any of the Black African racial groups;

(B) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Indian or Hispanic origin, regardless of race;

(C) Native American or Alaskan Native persons having origins in any of the original peoples of North America; and

(D) Asian and Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands.

2. Such services shall be performed by the Contractor during the period beginning July 1, 1999, and terminating June 30, 2000.

B. Staff.

1. To accomplish the foregoing services, the Contractor shall maintain the staff described in Appendix B, who shall perform the responsibilities set forth in the job descriptions contained in said Appendix.

2. The Contractor shall advertise any vacancies of the above positions for a minimum of eight (8) consecutive days, running from Sunday to Sunday, in one or more daily newspapers that serve the local population. For purposes of this Agreement, the Department's Project Control Officer (the "DPC Officer") shall be the Economic Development Zones Program Director or his/her designee. All appointments of staff are subject to the review and approval by the DPC Officer.

C. Reports.

1. The disbursements provided for by Article III of this Agreement are contingent upon the receipt and approval by the DPC Officer of the progress and financial reports, zone annual program plan, business annual reports by March 1, 2000, and the zone annual report by May 1, 2000. If the Contractor fails to submit any of the reports required pursuant to this Agreement, the Department, in its sole discretion, may withhold payment, reduce the amount payable to the Contractor, cancel this Agreement, and or take any other action the Department deems appropriate. The progress and financial reports described below shall be in addition to the annual report required by Section 963(b) of the General Municipal Law, attached hereto as Appendix D.

(a) The Contractor shall submit progress reports to the DPC Officer which shall contain, but not be limited to, a discussion and analysis of the progress of the services specified in Article I.A.1 (a) of this Agreement and such further information, explanation, or recommendations as may be requested by the DPC Officer. A zone annual program plan, described in Section 963(b)(i) of the General Municipal Law, shall be submitted by June 30, 2000. It shall cover the period from July 1, 2000, through June 30, 2001. A Mid-Year Progress Report shall be submitted by January 15, 2000. The Year-End Progress Report for the contract year shall be submitted by July 15, 2000.

(b) The Contractor shall submit to the DPC Officer and to the Department's Finance Officer financial reports based on the contract year, in the form required by the Department's

Finance Officer, which shall set forth receipts and expenditures of funds pursuant to this Agreement during the preceding period.

2. In addition to the financial reports, the Contractor shall submit to the DPC Officer and the Department's Finance Officer within a reasonable period of time after June 30, 2000 either (a) or (b):

(a) a report prepared by an independent certified public accountant which describes the receipts and expenditures of funds pursuant to this agreement. This review shall be in accordance with generally accepted accounting principles. The report shall include an opinion as to whether the financial reports submitted by the Contractor to the DPC Officer and the Department's Finance Officer represent true and accurate costs and reimbursements.

(b) if the Contractor is regularly subject to a financial audit of its activities, and the audit is conducted by an independent certified public accountant, and the activities which the contractor engages in pursuant to this contract are subject to the audit, then the relevant portions of the audit can be submitted in place of the report called for in section (a) above.

D. Meetings.

1. The Contractor shall make available any of its officers, employees, consultants, subcontractors or agents for consultation with the Department concerning matters pertaining to this Agreement. The Contractor shall notify the DPC Officer of all meetings of the Contractor's governing body and shall forward to the DPC Officer a copy of minutes of all such meetings.

2. The DPC Officer, or any other persons authorized to monitor and/or evaluate the Project shall have access to the Contractor's premises for the purpose of monitoring, assisting, evaluating and auditing of the Project.

E. Purchases.

1. Each purchase of furnishings, equipment, printing, supplies, or other property made pursuant to this Agreement, whose cost exceeds \$2,500.00 but does not exceed \$5,000.00, shall be made with the approval of the DPC Officer. The Contractor shall make a reasonable effort to obtain the lowest price possible.

2. Each purchase of furnishings, equipment, printing, supplies, or other property, made pursuant to this Agreement, costing in excess of \$5,000.00, shall be made with the approval of the DPC Officer, and shall be made in accordance with the following requirements:

(a) The Contractor shall invite bids for such purchase and shall choose the lowest responsible bidder.

(b) Bidding shall not be required where the Contractor submits to the DPC Officer information sufficient to establish that the property to be purchased is available only from a single source. However, such sole source purchases must have the prior approval of the DPC Officer.

3. The Contractor shall maintain a separate detailed inventory of all the furnishings, equipment and other non-consumable property purchased with funds provided pursuant to this Agreement and shall provide the Department with a true copy of such inventory.

4. Upon completion of the Contractor's performance of this Agreement or upon earlier cancellation of this Agreement, such furnishings, equipment or other property purchased by the Contractor shall be disposed of in accordance with the Department's directives.

F. Minority and Women-Owned Business Enterprise Commitments.

1. General Requirements.

(a) The Contractor acknowledges that it is the policy of the Department to provide maximum practicable opportunities for certified minority and women-owned business enterprises ("MWBEs") to participate in the performance of the Department's contracts. The Contractor agrees to use its best efforts to solicit and obtain the participation of MWBEs on this contract and to periodically report on such efforts, upon the request of the Department.

2. Minority and Women-Owned Business Enterprise Participation Goals.

Pursuant to Article 15-A of the Executive Law and regulations adopted thereunder, the Department has established a zero goal for the participation of certified minority-owned business enterprises and a zero goal for the participation of certified women-owned business enterprises on the Project or services to be performed under this Agreement.

II. OUTSIDE CONTRACTED SERVICES.

A. Preliminary Approval.

Whenever the Contractor determines that the special expertise of a subcontractor or consultant is required, the Contractor shall so notify the DPC Officer. The Contractor shall detail those specific tasks a subcontractor or consultant would be required to perform, together with a description of the expertise of the subcontractor or consultant. The DPC Officer shall review the request of the Contractor and give approval or disapproval of the use of the subcontractor or consultant services and the reasons therefor. The Contractor shall not contract to retain a subcontractor or consultant prior to approval of the DPC Officer.

B. Selection Procedure.

1. In the event that the DPC Officer approves the use of a subcontractor or consultant, such services shall be contracted for according to the following procedure:

(a) Where the cost of the subcontractor or consultant services to be contracted for will exceed \$5,000.00, the Contractor shall invite bids for such services and choose the lowest responsible bidder, all subject to the written approval of the DPC Officer. Prior to soliciting bids, the public bidding plan shall be presented to the DPC Officer for approval.

(b) Regardless of whether the Contractor procures subcontractor or consultant services as the result of competitive bidding or otherwise, the choice of the subcontractor or consultant must be justified. The Contractor must indicate the subcontractor's or consultant's background, experience and other pertinent information, as well as the hourly rate and the hours required, to the DPC Officer.

III. CONSIDERATION AND FISCAL PROCEDURE.

A. Payment.

In full consideration for all the services performed by the Contractor in a manner satisfactory to the Department, the Department shall pay to the Contractor a sum not to exceed FORTY-SIX THOUSAND Dollars (\$46,000), at the rates set forth in the budget contained in Appendix B (the "Budget"), in the ordinary course of State business, upon receipt of duly authenticated invoices and upon

the receipt and approval by the DPC Officer of the required progress and financial reports, zone annual program plans, business annual reports, and the annual report, provided, however, that ten percent (10%) of the full amount of said consideration shall not be payable to the Contractor unless and until the Contractor fully performs provisions of the contract set forth at I.A.1. (a) - (g), I.C. In addition, the zone will be measured throughout the term of the contract in light of the following criteria: has the zone

- (1) to the best extent possible, achieved the objectives set forth in the Zone Annual Program Plan, encouraged businesses to create jobs and/or invest in their zone facilities, and have otherwise performed the duties of the office;
- (2) been accountable to this office in submitting the required reports outlined in this contract on a timely basis; and
- (3) demonstrated a commitment to the success of the zone in such areas as using new and innovative methods to promote the zone, upgrading the skill and capacity of the zone office through activities conducted by this Department, and in providing appropriate and necessary services to the zone community.

The level of future contract considerations (dollars allotted to the zone) depend upon this year's zone performance as measured by the criteria established in this paragraph.

B. Separate Account.

The Contractor shall set up a separate account within its ledger to be used only for funds received pursuant to this Agreement. Such funds shall not be commingled in this account with funds received from any other source or funds received pursuant to any other agreement.

C. Release.

The acceptance by the Contractor of the amount certified by the Department as final payment for the Contractor's services pursuant to this Agreement shall release the Department from any and all claims, causes of action and liability to the Contractor, or to its legal representatives, arising out of or relating to this Agreement.

D. Travel Expenses.

No expense shall be incurred for travel in excess of travel expenses permitted under the rules and regulations governing travel by New York State employees. The Contractor shall incur no

expenditures for travel outside of the State of New York without prior written approval by the DPC Officer. Such prior written approval shall be required, notwithstanding the fact that the Budget may include an amount designated as expenses for travel outside of New York State.

E. Unauthorized Expenditures and Uses.

The Contractor shall not expend funds for any purpose not provided for in the Budget. In the event that the Contractor spends or uses funds in excess of the amounts in the Budget, the Department, in its sole discretion, may cancel this Agreement, reduce the amount payable to the Contractor by the amount of such over-expenditures, and/or take any other action the Department deems appropriate.

F. Budget Modifications.

The Budget contains the fees to be charged and expenses to be incurred by the Contractor during the term of this Agreement. The Contractor shall submit all requests for Budget Modifications to the Local Economic Development Zone Board Chairman for review. The rates of reimbursement contained in the budget shall not be increased. The Contractor may adjust the components of said fees and expenses by an amount of up to ten percent (10%) of the original amount of such components; provided, however, that the total consideration payable to the Contractor by the Department shall in no way be altered as a result of such adjustments. The Contractor must obtain the written approval of the DPC Officer for any adjustment of the components of said fees and expenses by an amount in excess of ten percent (10%) of the original amount of such components.

G. Failure to Commit Funds.

If the Contractor shall fail to commit funds for any part of the Budget during the term of this Agreement or at the level of expenditures indicated in said Budget, the Department, in its sole discretion, may reduce the total amount of funds authorized under the Budget by the amount not expended, by informing the Contractor in writing of the amount of the reduction and the items in the Budget which are to be reduced.

IV. REPRESENTATIONS, WARRANTIES AND COVENANTS.

A. The Contractor represents, warrants and covenants that funds paid to the Contractor pursuant to this Agreement or any materials or services contributed by the Department shall not be used in any manner for any of the following purposes:

1. the purchase of real property;
2. the payment for the cost of meals, except when in travel status, of employees or staff of the Contractor;
3. political activities of any kind or nature, including, but not limited to, furthering the election or defeat of any candidate for public, political or party office, or for providing a forum for such candidate, or promoting the passage, defeat, or repeal of any proposed or enacted legislation;
4. religious worship, instruction or proselytizing as part of, or in connection with, the performance of this Agreement; or

B. The Contractor further represents, warrants and covenants that:

1. it is a duly appointed agent of the Local Zone Administrative Board possessing actual and express authority to bind the Board with respect to the subject matter of this Agreement;
2. neither any member of its governing body, nor any of its officers, employees, consultants or subcontractors have given anything of value to anyone to procure this Agreement between the parties or to influence any official act or the judgment of any person in the negotiation of any of the terms of this Agreement;
3. the Department's payments shall not duplicate reimbursement of costs or services received or receivable from other sources;
4. it has received or will receive written commitments for the matching funds set forth in Appendix B; and
5. it shall report in writing to the DPC Officer any grants, commitments or funds received by the Contractor for the services to be provided by the Contractor pursuant to this Agreement, from any source, governmental or non-governmental, other than the grant of funds received under this Agreement and the funds noted in Appendix B. Such report shall include a copy of the proposal and

Budget, if any, upon which such grant, commitment or funding was made, and shall be delivered to the Department within twenty (20) days from the date of the approval of such funding.

V. CANCELLATION OF AGREEMENT.

A. Right to Cancel.

The Department shall have the right to cancel this Agreement on the following terms and conditions:

1. For Cause. Upon any breach, default, or other defect of performance or breach of any representation, warranty or covenant by the Contractor under this Agreement, the Department may cancel this Agreement by giving the Contractor five (5) days written notice.

2. For Convenience. Notwithstanding any provisions contained herein to the contrary, the Department may cancel this Agreement for its own convenience by giving five (5) days written notice to the Contractor. Upon exercising the Department's right to cancel this Agreement pursuant to this subparagraph 2, the Department shall pay all necessary costs incurred by the Contractor pursuant to this Agreement, up to the date of receipt of the written notice of cancellation, upon delivery of all reports to the DPC Officer.

B. Procedure Upon Cancellation.

Upon the cancellation of this Agreement, the Contractor shall comply with all Department cancellation procedures, including, but not limited to:

1. submission of a final progress report within thirty (30) days of the receipt of a notice of cancellation. Such report shall include a detailed evaluation of the Contractor's activities pursuant to this Agreement;

2. submission of a final financial report of receipts and expenditures of funds pursuant to this Agreement within thirty (30) days of the receipt of a notice of cancellation. Such report shall be made by a certified public accountant or licensed public accountant appointed by the Contractor with the approval of the Department;

3. providing the DPC Officer with an inventory of furnishings, equipment and other property purchased with funds received pursuant to this Agreement, within thirty (30) days of the

receipt of a notice of cancellation, and carrying out any Department directives concerning the disposition thereof;

4. not incurring any further obligations or making any further payments pursuant to the terms of this Agreement beyond the date of receipt of a notice of cancellation, except necessary cancellation expenses, including rent, if applicable, for a period not to exceed thirty (30) days;

5. making available to the Department or its designees all documents, reports and materials related to this Agreement; and

6. refunding to the Department, within thirty (30) days of the receipt of a notice of cancellation, any unexpended funds held by the Contractor which have been received from the Department pursuant to this Agreement; provided, however, in the event the Contractor defaults on its obligations to the Department under this Agreement, or in the event any representation or warranty made by the Contractor in connection with this Agreement shall have been incorrect in any material respect when made, then the Department may demand repayment of all payments made by it to the Contractor, and the Contractor, upon such demand, shall make full repayment to the Department.

VI. RELATIONSHIP.

A. The relationship of the Contractor to the Department arising out of this Agreement shall be that of an independent contractor. The Contractor, in accordance with its status as an independent contractor, covenants and agrees that it will conduct itself consistent with such status, that it will neither hold itself out as, nor claim to be, an officer or employee of the Department or the State of New York by reason hereof, and that it will not by reason hereof, make any claim, demand or application for any right or privilege applicable to an officer or employee of the Department or the State of New York including, but not limited to, workers' compensation coverage, unemployment insurance benefits, social security coverage, or retirement membership or credit.

B. All personnel of the Contractor shall be within the employ of the Contractor only, which alone shall be responsible for their work, their direction, and their compensation. Nothing in this Agreement shall impose any liability or duty on the Department or the State of New York on account of any acts, omissions, liabilities or obligations of the Contractor or any person, firm, company, agency,

association, corporation, or organization engaged by the Contractor as expert, consultant, independent contractor, specialist, trainee, employee, servant or agent, or for taxes of any nature including, but not limited to, unemployment insurance and workers' compensation, and the Contractor hereby agrees to indemnify and hold harmless the Department and the State of New York against any such liabilities.

VII. INDEMNITY.

The Department shall not be liable for any debts, liens or encumbrances incurred by the Contractor or its principal, the Board of the Zone. The Contractor hereby agrees to indemnify and save harmless the Department and the State of New York against any and all claims, liability, loss, damages, costs or expenses which the Department or State of New York may hereafter incur, suffer or be required to pay by reason of any negligent or willful act or omission of the Contractor in the performance of this Agreement.

VIII. MISCELLANEOUS PROVISIONS.

Upon expiration or cancellation of this Agreement, all finished and unfinished documents, data, studies and reports, and other property purchased by the Contractor with funds provided by the Department pursuant to this Agreement, shall become the property of the Department.

IX. APPENDICES.

Appendices A, B, C, D and E, attached hereto, are in every respect made a part of this Agreement as if fully set forth herein.

X. APPROVAL REQUIRED.

This Agreement shall not be binding upon the Department until approved by the Department of Law and the Office of the State Comptroller.

XI. WAIVER.

A waiver of enforcement of any provision of this Agreement by the Department shall not constitute a waiver by the Department of any other provision of this Agreement, nor shall it preclude the Department from subsequently enforcing such provision thereafter.

XII. SEVERABILITY.

Any provision of this Agreement found to be prohibited by law shall be ineffective to the extent of such prohibition without invalidating the remainder of this Agreement.

XIII. SPECIAL ADDITION

The State will not be liable for payments pursuant to any contract, grant or agreement made pursuant to an appropriation in any account of the Community Project Fund if insufficient monies are available for transfer to such account of the Community Project Fund after required transfers pursuant to §99-d (3) of the State Finance Law.

XIV. MODIFICATION

The foregoing and the Appendices attached hereto contain the entire Agreement of the Contractor and the Department and no modification thereof shall be binding unless the same is in writing, signed by the respective parties, and approved by the Department of Law and the Office of the State Comptroller.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

CONTRACT NUMBER _____

Agency Certification

In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

NEW YORK STATE
DEPARTMENT OF ECONOMIC DEVELOPMENT

Howard Brown, Director, Office of Fiscal Management

DATED: _____

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT
AGENCY

BY: _____

TITLE: Chairman

DATED: _____

FEDERAL ID NO.: 11-6001935

ATTORNEY GENERAL'S SIGNATURE

COMPTROLLER'S SIGNATURE

DATED: _____

DATED: _____

1999/2000 EDZ ADMINISTRATIVE GRANT
TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the _____ day of _____, in the year 19____, before me, the undersigned, a Notary Public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Signature of Notary Public

STANDARD CLAUSES FOR ALL NEW YORK STATE CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$10,000 (\$20,000 for certain SUNY and CUNY contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office.

WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

NON-DISCRIMINATION REQUIREMENTS. In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rate for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

NON-COLLUSIVE BIDDING REQUIREMENT. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor warrants, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further warrants that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to a contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State-assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b" and "c", above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a contractor or subcontractor with the requirements of any Federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such Federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments hereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article XI-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized) but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

**ECONOMIC DEVELOPMENT ZONES PROGRAM
ADMINISTRATIVE FUNDING - 1999/2000
PROPOSED PROGRAM BUDGET**

FY 1999/2000

	(1)	(2)	(3)	(4)	(5)
LINE ITEMS	LOCAL SHARE		STATE SHARE		APPROVED GRANT AMOUNT
	S.C.	TOR			
	Cash	In-Kind	*State	TOTAL	
<u>PERSONAL SERVICES:</u>					
Salaries	15,393	10,000	25,393	50,786	
Fringe Benefits	2,000		2,000	4,000	
<u>NON-PERSONAL SERVICES:</u>					
Supplies	2,107		607	2,714	
Travel			3,000	3,000	
Equipment Rental		1,200		1,200	
Equipment Purchases			500	500	
Real Estate Rental					
Phone		2,500		2,500	
Utilities					
Postage		1,500		1,500	
Printing	1,000	4,000	5,250	10,250	
Consultant Services	2,000	1,000	4,500	7,500	
Miscellaneous (specify)	500	2,800	4,750	8,050	
Advertising					
TOTAL BUDGET	23,000	23,000	46,000	92,000	

INSTRUCTIONS: Applicant to complete columns 1-4 only. Reconcile Columns 1, 2 and 3 to Column 4 to insure an accurate budget. * State share limited to a maximum of \$46,000

ZONE NAME: Town of Riverhead CDA **Calverton Economic Development Zone 1999/2000**

State Use Only Date:

APPENDIX B

ECONOMIC DEVELOPMENT ZONE PROGRAM

MATCHING FUNDS FOR ADMINISTRATION

July 1, 1999 - June 30, 2000

If supplied information is inaccurate, provide corrections on this form and check box BELOW.
AREAS THAT ARE *ITALICIZED* NEED TO BE COMPLETED.

1. Name of Applicant: <u>CALVERTON ECONOMIC DEVELOPMENT ZONE ADMIN BOARD</u> Name													
2. * Contractor's Full Name: TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY <i>will appear on your contract - If name is incorrect, please make changes. (See aB, 2(b) and Definitions aG)</i>													
3. Contact Name: Gloria Ingegno Title: Zone Coordinator Address: 200 Howell Avenue, Riverhead, New York 11901 Second Contact: Andrea Lohneiss Telephone No. 516 208-0570 Fax No. 516 727-0583 <i>(The contact person is responsible for making changes to and answering questions regarding this application form.)</i>													
4. County: Suffolk													
5. Federal ID#: 11-6001935	6. <i>Charity Registration # (NFP Only):</i>												
7. Assembly District #: <u>1</u> Representative(s) Name: <u>Patricia Acampora</u>													
Senate District #: <u>1</u> Representative(s) Name: <u>Kenneth LaValle</u>													
9. <i>Indicate contractor classification (check one):</i> <input checked="" type="checkbox"/> Municipal Corp. <input type="checkbox"/> Not-for-Profit (NYC Region) <input type="checkbox"/> Not-for-Profit (Other than NYC)													
10. <i>List names and titles of all persons who have the authority to approve and/or sign the contract, vouchers, and contract modifications: (Please Type or Print)</i> <table><tr><td>Vincent Villella, Riverhead Town Supervisor</td><td>Community Development Agency Chairman</td></tr><tr><td>Name</td><td>Title</td></tr><tr><td>Alice Amrhein, Chairperson, Calverton Economic Development Zone Administrative Board</td><td></td></tr><tr><td>Name</td><td>Title</td></tr><tr><td></td><td></td></tr><tr><td>Name</td><td>Title</td></tr></table>		Vincent Villella, Riverhead Town Supervisor	Community Development Agency Chairman	Name	Title	Alice Amrhein, Chairperson, Calverton Economic Development Zone Administrative Board		Name	Title			Name	Title
Vincent Villella, Riverhead Town Supervisor	Community Development Agency Chairman												
Name	Title												
Alice Amrhein, Chairperson, Calverton Economic Development Zone Administrative Board													
Name	Title												
Name	Title												

As Chairman of the Zone Administrative Board, I testify that the information provided herein is true and accurate. Further, I do hereby approve the submission of this administrative grant funding application.

Signature: [Signature] Date: 9/23/99

If other than applicant, attach ZAB resolution and label the bottom of each page, with the Zone name and Appendix B Page 1-2, etc.

ZONE NAME: CALVERTON ECONOMIC DEVELOPMENT ZONE

1999/2000

APPENDIX B Page 1X1

CHECK BOX IF CHANGES WERE MADE TO ABOVE DATA:

☒

9/23/99

Calverton Zone Administrative Board

Resolution # 6

Ratifies Contract Between CZAB and the Riverhead CDA

George Tvelia offered the following resolution,

which was seconded by Vincent G. Villella

WHEREAS, on November 17, 1998 the Calverton Zone Administrative Board (ZAB), as appointed by the Riverhead Town Board did hold an organizational meeting, adopted bylaws and authorized by Resolution #2 the execution of a contract with the Riverhead CDA for administration of funds and other duties on behalf of the ZAB; and

WHEREAS, Suffolk County Executive Robert Gaffney did subsequently request appointment to the ZAB of Alice Amrhein as his designated representative and by Town Board Resolution #519 the Riverhead Town Board did appoint Alice Amrhein to the Zone Administrative Board on June 1, 1999; and

WHEREAS, the Zone Administrative Board did elect Alice Amrhein as Chairman on September 23, 1999.

THEREFORE, BE IT RESOLVED, that the ZAB as presently constituted hereby ratifies the action taken by the Board in adopting Resolution #2 (1998) and execution of the contract with the CDA (attached), said contract remaining in effect unless and until revoked, modified or amended by the ZAB and CDA.

CALVERTON ECONOMIC DEVELOPMENT ZONE COMMISSION
ADMINISTRATIVE SERVICES AGREEMENT

THIS AGREEMENT entered into this 17th day of November, 1998, by and between the CALVERTON ECONOMIC DEVELOPMENT ZONE COMMISSION (CEDZC), a Local Board created pursuant to Article 18B of the General Municipal Law of New York State, with its directors appointed by the Town of Riverhead (TOR), having its office located at 200 Howell Avenue, Riverhead, New York 11901 and the TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY (CDA), a public benefit corporation, created under article 15 of the New York State General Municipal Law, having offices for doing business located at 200 Howell Avenue, Riverhead, New York 11901.

WITNESSETH

WHEREAS, the TOWN OF RIVERHEAD has been awarded Economic Development Zone status, by the New York State Economic Development Zone Board on June 3, 1998 (Zone) and as such has created the "Calverton Economic Development Zone Commission" consistent with the requirement for a Zone Administrative Board to carry out the local Economic Development Zone activity; and

WHEREAS, The CEDZC wishes to enter into a contract for services with the CDA for the CDA to provide all administrative services in connection with all local Economic Development Zone activity; and

WHEREAS, It is consistent with the purpose of the CDA and with Public Law 103-C337 of the United States Congress (10/94) to promote, assist, and pursue economic development of the CALVERTON ENTERPRISE PARK (CEP), formerly NAVAL WEAPONS INDUSTRIAL RESERVE PLANT (NWIRP) in the Town of Riverhead to achieve job creation, tax revenues and improved economic prosperity for the community of Riverhead; and

WHEREAS, The use of its rights and powers are deemed to be a public purpose essential to the public interest, and for which public funds may be expended; and

WHEREAS, The attraction of new industry, recreational and commercial enterprises, and tourism related facilities, encouraged by the Economic Development Zone Status is related to the general prosperity of the County, and will result in increased employment opportunities and an increase in the tax base; and

WHEREAS, Pursuant to Article 18B Section 963 Paragraph B-viii of the General Municipal Law of New York State, the CEDZC is authorized to contract with the CDA for the purpose of providing economic development and administrative service for the Zone, except loan and grant funds, lease payments and other payments duly authorized, and to annually appropriate funds and authorize payment thereof..

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein after set forth, the parties do hereby agree as follows:

ARTICLE I, AS TO THE COMMUNITY DEVELOPMENT AGENCY

The CDA shall provide Administrative Services for the CEDZC consistent with Article 18B Sections 955 through 969 of the General Municipal Law of New York State.

1. More specifically the CDA shall provide or cause to be provided by its agents, employees, representatives, contractors, or any other party necessary to carry out this agreement, the following services:
 - A. Develop and carry out the marketing and promotion of the Zone.
 - B. Assist companies within the Zone in applying for available benefits, preparation of applications for financial assistance, and other technical assistance services.
 - C. Develop and implement a strategic economic development zone plan as part of the overall strategic planning process of the Calverton Zone.
 - D. Coordinate the delivery of economic development programs within the Zone.

E. Operate such other economic development assistance programs in furtherance of the Zone, including efforts to ensure meaningful participation by minority and women owned businesses and Zone activities.

F. The CDA will provide additional administrative services as follows:

1. Assist in the preparation of the annual Zone operating budget.
2. Prepare and submit in a timely manner all required reports.
3. Attend regular and special meetings of the Zone Administrative Board and keep accurate and comprehensive records and minutes of those meetings.
4. Maintain accurate and comprehensive records of all Zone Activity.
5. Assist in the interviewing, hiring, and supervision of Zone administrative personnel.
6. Maintain a separate financial accounting system for the receipt and expenditure of funds with the approval of the CEDZC.
7. Ensure that the purchases of services and commodities adhere to State and local laws and regulations.
8. Provide office space, heat and light in-kind.
9. Provide quarterly and annual financial reports prepared by staff.
10. Annual audit provided.
11. Generally oversee the administrative functions of Zone.
12. Drawdown of funds on behalf of the CEDZC and expenditures thereof based upon activities authorized by the CEDZC.

ARTICLE II. AS TO THE CEDZC

1. In the event the CEDZC generates funds from Zone members or any other allowable source, the CEDZC will appropriate same to the CDA to carry out the economic development Zone program. The appropriation will be used solely to provide marketing, administrative services, and other activities the CDA may be involved in to further the purpose of the Calverton Economic Development Zone and may not be used for any other governmental purpose.

ARTICLE III. TERMINATION OF AGREEMENT

1. This agreement may be terminated by either party, at any time, by the delivery to the other party of a 60 sixty day written notice of termination of the Agreement, stating in good faith and for good and valid reasons why such party is terminating this agreement.
2. In the event of such termination the CEDZC and the CDA shall perform such services and pay such monies as are necessary to carry out their respective obligations under the Agreement up to the date of termination.
3. Any notice required to be given to either party, in accordance with the terms of the Agreement shall be delivered in person or by first class mail, return receipt requested, at the address of such party as herinbefore set out.

ARTICLE IV. EXTENT OF AGREEMENT

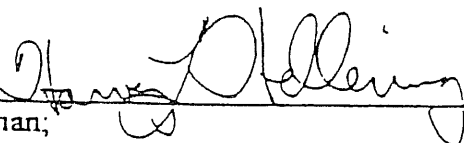
1. This Agreement represents the entire Agreement between the Calverton Economic Development Zone Commission and the Town of Riverhead Community Development Agency. This Agreement may be amended only by written instrument signed by both parties, and such amendment shall be attached to this agreement.

ARTICLE V. TERM OF THIS AGREEMENT

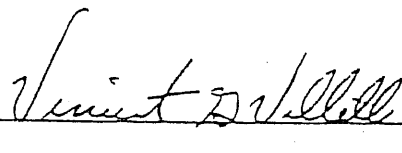
1. The term of this agreement shall be on a year to year basis automatically renewed, terminated or modified.

IN WITNESS WHEREOF, This Agreement has been executed by the Calverton Economic Development Zone Commission and the Town of Riverhead Community Development Agency, and is effective from the day and year first above written.

The Calverton Economic Development Zone Commission:

By:  Date: 11/17/98
Chairman;

Town of Riverhead Community Development Agency:

By:  Date: 12/3/98
Chairman;

The 1999-2000 Zone Annual Program Plan, on file with the NYS Department of Economic Development EDZ office on June 30, 1999, will serve as the description of goals to be accomplished under this contract. Funds requested in this application must be used exclusively for the purposes and projects outlined in this Plan.

If consultants are to be used, describe the type of services to be provided, the approximate time frame for services to be rendered and the name(s) of firms, if known. If additional pages are necessary, include the Zone name and Appendix B, Page 2X2, etc. on bottom of each page.

The Calverton Economic Development Zone is in the beginning stage of development. Most of our financial resources will be used for advertising and consulting services. Our consulting services will consist mainly of firms that will be able to help us market the zone. Envisioned are advertisements in local, regional and national papers. Spot advertising on radio. Promotional handouts for seminars will be needed. Our Zone Administrative Board has been contemplating using video to promote Calverton. Local graphic artist, radio personalities and videotographers will be needed.

The approximate timeframe will be continual throughout the year.

ZONE NAME: CALVERTON ECONOMIC DEVELOPMENT ZONE

1999/2000

13. List EACH employee's name, title and total annual salary who will receive a portion of their compensation through EDZ Administrative Grant Funds. Also list the portion of that salary that will be paid for with these funds. The total of "\$ Share of EDZ Funds" must match the combined total of "Local Cash/In-Kind Salaries" and "State/Salaries" on the Proposed Program Budget. Do **not** include Fringe contributions in the calculation. If no administrative funds will be used to support salaries, leave this page blank.

TITLE	NAME	TOTAL ANNUAL SALARY	\$ SHARE OF EDZ FUNDS
1. EDZ Coordinator	Gloria Ingegno	\$ 40,786	\$ 40,786
2. Community Development Agency, Director	Andrea Lohneiss	\$ 65,000	\$ 10,000
3.		\$	\$
4.		\$	\$
5.		\$	\$

Briefly describe the duties each employee will perform in relation to the administration of the EDZ:

- Gloria Ingegno will be responsible for coordinating with the appropriate agencies, all Economic Development Zone Programs, preparing and reviewing applications for Zone benefits on behalf of private businesses, managing the EDZ programs and preparing the budget and grant applications to maintain the operation of the EDZ office. She will be responsible to the Administrative Board of the Zone and will be an employee of the Department of Community Development.
- Andrea Lohneiss is the Director of the Community Development Agency for the Town of Riverhead. Ms. Lohneiss oversees the administration of the Zone. She is an employee of the Town of Riverhead and is responsible to the Supervisor of the Town of Riverhead.

14. Indicate the source of local matching funds (cash and/or in-kind contribution). Indicate the date when the funds will become available for use – **MUST BE AVAILABLE DURING CONTRACT YEAR**. For each cash and in-kind contribution, attach a resolution or letter of commitment from each contributing organization specifying the amount of the match, whether it is cash or in-kind, when it will be available, an original, dated signature, and what the purpose of the funds are. On the bottom of each attached resolution or letter, include the Zone name and Appendix B, Page 4X2, etc.

CASH:

Jurisdiction/Organization (Contributing Entity Name)	Amount of Cash Match	Date When Funds are Available (month/day/year)
1. Suffolk County	\$23,000 ✓	1/1/2000.
2.	\$	
3.	\$	
4.	\$	
TOTAL (MUST match Cash column total in APPENDIX B - Proposed Program Budget): \$23,000		

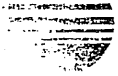
IN-KIND:

Jurisdiction/Organization (Contributing Entity Name)	Amount of In-Kind Match	Time Frame that Services will be Available for Match (within contract period)
1. Town of Riverhead	\$23,000	Immediate
2.	\$	
3.	\$	
4.	\$	
TOTAL (MUST match In-Kind column total in APPENDIX B - Proposed Program Budget): \$23,000		

ZONE NAME: Calverton Economic Development Zone

1999/2000

SUFFOLK COUNTY



DEPARTMENT OF
ECONOMIC DEVELOPMENT

FAXED
8/11/99

August 10, 1999

Robert J. Gaffney
Suffolk County Executive

George Gatta, Jr.
Deputy County Executive
For Economic Development

Alice A. Amrhein
Commissioner



Ms. Gloria Ingegno
EDZ Coordinator
Riverhead EDZ
200 Howell Avenue
Riverhead, NY 11901

Dear Gloria:

RE: MATCHING FUNDS

In reference to the matching funds from Suffolk County for the EPCAL Economic Development Zone New York State grant, please be advised that the Department of Economic Development has requested \$23,000 in its Year 2000 Budget, which starts January 1, 2000. Please accept this as our commitment that we are looking forward to providing 50% of the matching funds for the State grant.

Sincerely,

Alice A. Amrhein
Commissioner

AAA:rr

10/21/99

Adopted

Town of Riverhead

Resolution # 956

Amends Resolution #772 Authorizing Match for EDZ Administration

COUNCILMAN KWASNA offered the following resolution,

which was seconded by COUNCILMAN KENT

WHEREAS, a portion of the Calverton Enterprise Park is a designated Economic Development Zone (EDZ) pursuant to Article 18 of the General Municipal Law, as amended; and

WHEREAS, the implementation of EDZ's requires certain actions by the applicant municipality including the provision of matching funds for the appropriated state funds; and

WHEREAS, for the state budget year 7/99 to 6/00, New York State will provide a grant in the amount of \$46,000; and

WHEREAS, Suffolk County as joint applicant for the zone, will provide 25% of the 50% match, or \$23,000; and

WHEREAS, the New York State Department of Economic Development has requested the Town Board commitment to specify the \$23,000 match to be in-kind services.

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby amends Resolution #772 authorizing matching funds in the amount of \$23,000 in in-kind services for administration of the Calverton Enterprise Park EDZ.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss, EDZ Coordinator Gloria Ingegno and Financial Administrator Jack Hansen.

THE VOTE
Cardinals John Yes ✓ No ✓ Kent ✓ Yes ✓ No ✓
Kwasna ✓ Yes ✓ No ✓ Luj ✓ Yes ✓ No ✓
Vella ✓ Yes ✓ No ✓
THE RESOLUTION WAS X WAS NOT ✓
THEREUPON DULY DECLARED ADOPTED

§ 962. Economic development zone development plan

An economic development zone development plan shall be filed with the commissioner and with the local economic development zone administrative board, and shall demonstrate the methods by which the applicant intends to promote the development of new business and the expansion of existing business within the economic development zone and shall include, but shall not be limited to:

(a) a statement indicating how economic development zone designation would assist in the revitalization of the area in which such zone is proposed to be located;

(b) a description of the method by which industrial development agencies or other public finance agencies shall grant a preference for allocation of private activity bonding authority for projects located in the proposed economic development zone;

(c) a description of proposals for infrastructure improvements and investments and a timetable for their completion;

(d) a statement identifying those local tax incentives proposed to be offered within the zone;

(e) a description of a procedure to expedite the issuance of any required local permits or licenses;

(f) a description of other activities to be undertaken by municipal agencies, business entities, not-for-profit corporations, community-based organizations or any other persons, which are designed to promote private sector business investment and job development in the economic development zone and a description of the job training or job placement services to be made available to economic development zone residents in need of such training or services;

(g) an inventory of real property located within the proposed economic development zone that is owned by a municipality or the state and is currently unused by the municipality or the state;

(h) a description of the business development programs and services to be available to stimulate the creation of new small businesses, including new small minority and women business enterprises;

(i) a description of efforts that will be undertaken to prevent or discourage the displacement of residents of the proposed economic development zone;

(j) a description of activities designed to ensure the meaningful participation of minority-owned and women-owned business enterprises in economic development zone development activities;

(k) a description of provisions for the participation of not-for-profit and business corporations in the development of the plan and in strategies for implementation of the plan;

(l) a description of the marketing strategy to be employed by the applicant to promote business development in the zone and the resources to be committed by the applicant and other organizations to the implementation of such strategy;

(m) a description of the method by which the applicant will evaluate the success of any activities to be undertaken in the proposed economic development zone, provided, however, that the applicant shall take into consideration the factors upon which the selection of the area was based in any evaluation;

(n) a description of provisions for participation and allocation of funds by the affected service delivery area private industry council and administrative entity established pursuant to the job training partnership act (P.L. 97-300, as amended)¹ to provide job training in the zone;

(o) a statement of the reasons why the particular geographic configuration of the zone was selected;

(p) a description of the structure and duties of the local zone administrative board to be established within each economic development zone as provided in section nine hundred sixty-one of this article;

(q) a description of the special programs to be operated by educational institutions in the area to prepare and train zone residents for employment by businesses located within and outside the zone;

(r) a statement from the appropriate regional economic development council setting forth the specific resources to be allocated for business development in the zone; and

(s) a description of facilities for licensed and certified child day care for the children of persons engaged in training for employment in, or employed in, the zone.

(Added L.1986, c. 686, § 1; amended L.1990, c. 624, §§ 11, 12.)

¹ 29 U.S.C.A. § 1501 et seq.

1) The annual report of the local economic development zone administrative board required by subdivision (b) of this section shall, subject to the secrecy provisions referred to in subdivision (d) of this section, include, not be limited to, the following information with respect to the year immediately preceding the year which is the subject of the report:

i) a complete list of all property within the zone, if any, granted an exemption under section four hundred eighty-five of the real property tax law, together with the assessed value thereof and the amount of such exemption, for each municipal corporation which granted such exemption. The list shall also set forth for each municipal corporation granting such exemption: (1) the tax rate for the year to which the report pertains; (2) the amount of real property tax that would have been paid in the aggregate by the owners of real property granted an exemption under section four hundred eighty-five of the real property tax law if the property was fully taxable at that rate; and (3) the amount of tax actually paid in the aggregate by such owners;

ii) the total incremental value, if any, as defined in subdivision (e) of section nine hundred sixty-seven of this chapter, of taxable real property in each city, town, village or county within the economic development zone, together with the total amount of tax increments which are segregated pursuant to subdivision (g) of such section;

iii) the total dollar value of the refund or credit of taxes imposed pursuant to the authority of article twenty-nine of the tax law on receipts from the sale of certain materials used in constructing, expanding or rehabilitating certain business property located in the economic development zone, as authorized by clause six of subdivision (a) of section eleven hundred nineteen of the tax law;

iv) the total dollar value of the refund or credit of taxes imposed under article twenty-eight of the tax law on receipts from the sale of materials used in constructing, expanding or rehabilitating certain business property

located in the economic development zone, as authorized by clause six of subdivision (a) of section eleven hundred nineteen of the tax law;

v) the number of taxpayers claiming each of the following tax credits or refunds, together with the total amount of each credit claimed by taxpayers in the aggregate against their taxes in the year to which the report pertains, resulting from taxpayer activity in the economic development zone or investments made by taxpayers in the capital corporation established for that economic development zone:

(A) credits against the tax imposed under article nine-A of the tax law, based on investments in certain eligible property in an economic development zone, as authorized by subdivisions twelve-B and twelve-C of section six hundred ten of the tax law;

(B) credits against the tax imposed under article twenty-two of the tax law, based on investments in certain eligible property in the economic development zone, as authorized by subsection (j) of section six hundred six of the tax law;

(C) credits against taxes imposed under articles nine-A, twenty-two, twenty-three and thirty-three of the tax law, based on wages paid to certain employees employed by a business located in an economic development zone, as authorized by subdivision nineteen of section two hundred ten, section (k) of section six hundred six, subsection (e) of section fourteen hundred fifty-six and subdivision (g) of section fifteen hundred eleven, of the tax law;

two, thirty-two and thirty-three of the tax law, based on investments in the stock of an economic development zone capital corporation, as authorized by subdivision twenty of section two hundred ten, subdivision (l) of section six hundred six, subsection (d) of section fourteen hundred fifty-six, and subdivision (h) of section fifteen hundred eleven of the tax law;

(vi) the total amount of reductions in utility costs of non-retail business customers in the economic development zone, as authorized by subdivision eight of section one hundred eighty-six of the tax law;

(vii) a statement summarizing all amounts received as, and expenditures made from, financial support for administrative expenses pursuant to paragraph (vii) of subdivision (b) of this section; and

(viii) any other information regarding economic development zone activities which the department of economic development may require upon its own request or that of the department of audit and control, department of taxation and finance, or the legislative commission on expenditure review.

In addition to the information required by paragraphs (i) through (viii) inclusive of this subdivision, such report shall also set forth, with respect to all previous years for which reports were issued, a cumulative summary of the total amount of real property taxes that would have been received by each municipal corporation within the zone if the real property granted an exemption under section four hundred eighty-five of the real property tax law had been fully taxed at the tax rate for the appropriate year, the total amount of tax increments segregated for infrastructure improvements by each city, town, village or county within the zone, the total amount of each of the credits or refunds set forth in paragraphs (iii) through (vi) of this subdivision for activities or investments within the zone, and the total amounts received and expenditures made from any financial support pursuant to paragraph (vii) of subdivision (b) of this section.

(d) At the request of any local economic development zone administrative board, the department of taxation and finance, the department of economic

development, the public service commission and any municipal corporation within the economic development zone shall, to the extent that it possesses any of the information required by subdivision (c) of this section, and to the extent that such information can be disclosed without violating the secrecy provisions contained in sections two hundred two, two hundred eleven, six hundred ninety-seven, one thousand one hundred forty-six, one thousand two hundred fifty, one thousand four hundred sixty-seven and one thousand five hundred eighteen of the tax law, provide that information to the local economic development zone administrative board for inclusion in its annual report. The amount of any real property taxes required to be set forth in the report pursuant to subdivision (c) of this section shall be computed and furnished to the zone's administrative board by the municipality which levied the tax. The failure of any economic development zone administrative board to prepare and submit a report as required by subdivision (b) of this section shall make the board or other community-based development organization ineligible to receive any financial support for administrative expenses authorized by paragraph (vii) of subdivision (b) of this section; provided, however, that such financial assistance shall not be withheld on account of the report's failure to include any information which is required by subdivision (c) of this section but is not available to the economic development zone administrative board.

(Added L.1986, c. 686, § 1; amended L.1987, c. 442, §§ 10, 11; L.1990, c. 624, §§ 13, 14.)

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 21, 1999, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Villella, and upon roll being called, the following were

PRESENT: Supervisor Villella
 Member Cardinale
 Member Kent
 Member Kwasna
 Member Lull

ABSENT:

The following resolution was offered by Member Kent, who moved its adoption, seconded by Member Cardinale, to-wit:

RESOLUTION DATED DECEMBER 21, 1999.

A RESOLUTION CONVERTING TWO LOANS BY THE TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY TO THE RIVERHEAD FOUNDATION FOR MARINE RESEARCH TO GRANTS.

WHEREAS, on January 30, 1998, the Town of Riverhead Community Development Agency (the "Agency") loaned so-called "Tanger" monies in the amount of \$40,000 to the Riverhead Foundation for Marine Research (the "Foundation"); and

WHEREAS, on January 28, 1999 the Agency loaned so-called "Tanger" monies in the amount of \$20,000 to the Foundation; and

WHEREAS, it is now desired to forgive said loans and convert the same into grants; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. The aforesaid loans aggregating \$60,000 from the Agency to the Foundation are hereby FORGIVEN AND CONVERTED INTO GRANTS from the Agency to the Foundation.

Section 2. This resolution shall take effective immediately.

-2-

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Villella</u>	VOTING	<u>Yes</u> to Table
<u>Member Cardinale</u>	VOTING	<u>Yes</u> to Table
<u>Member Kent</u>	VOTING	<u>Yes</u> to Table
<u>Member Kwasna</u>	VOTING	<u>Yes</u> to table
<u>Member Lull</u>	VOTING	<u>Yes</u> to Table

The resolution was thereupon declared duly adopted.

*

*

*

*

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY DECLARED ~~ADOPTED~~

table

Tabled

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on December 21, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on December ____, 1999.

Secretary

(CORPORATE
SEAL)

Adopted

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 21, 1999, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Villella, and upon roll being called, the following were

PRESENT: SSupervisor Villella
 Member Cardinale
 Member Kent
 Member Kwasna
 Member Lull

ABSENT:

The following resolution was offered by Member
Councilman Lull _____, who moved its adoption, seconded by
Member Kwasna _____, to-wit:

RESOLUTION DATED DECEMBER 21, 1999.

A RESOLUTION FORGIVING A LOAN BY THE TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY TO THE OKEANOS OCEAN
RESEARCH FOUNDATION

WHEREAS, on April 23, 1996, the Town of Riverhead Community
Development Agency (the "Agency") loaned the amount of \$24,437 to
the Okeanos Ocean Research Foundation (the "Okeanos"), such loan
being made with monies Okeanos had previously paid to the Agency;
and

WHEREAS, it is now desired to ^{acknowledge as uncollectable,} ~~-----~~ said loan; NOW,
THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. The aforesaid loan in the amount of \$24,437
from the Agency to Okeanos is hereby FORGIVEN.

Section 2. This resolution shall take effective
immediately.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Villella</u>	VOTING <u>Yes</u>
<u>Member Cardinale</u>	VOTING <u>Yes</u>
<u>Member Kent</u>	VOTING <u>Yes</u>
<u>Member Kwasna</u>	VOTING <u>Yes</u>
<u>Member Lull</u>	VOTING <u>Yes</u>

The resolution was thereupon declared duly adopted.

* * * *

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on December 21, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on December __, 1999.

Secretary

(CORPORATE
SEAL)

Tabled 12/21/99 Regular Board Meeting

Tabled
12/30/99 2nd time

Special
At a ~~regular~~ meeting of the Members of the Town of Riverhead
Community Development Agency, Town of Riverhead, Suffolk County,
New York, held at the Town of Riverhead Town Hall, 200 Howell
Avenue, in Riverhead, New York, in said Town, on December 21, 1999,
at 1:07 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Villella and upon
roll being called, the following were

- PRESENT: Supervisor Villella
Councilman Cardinale
Councilman Kent
Councilman Kwasna
Councilman Lull

ABSENT:

The following resolution was offered by Member Table
Kent, who ~~moved for its adoption~~ ^{To Be Brought Off the}, seconded by
Member Lull, to-wit:

All Members in favor of bringing resolution off the tabled.
It was agreed be the Town Board Members that this resolution remain
TABLED.

RESOLUTION DATED DECEMBER 21, 1999.

A RESOLUTION CONVERTING TWO LOANS BY THE TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY TO THE RIVERHEAD FOUNDATION FOR MARINE RESEARCH TO GRANTS.

WHEREAS, on January 30, 1998, the Town of Riverhead Community Development Agency (the "Agency") loaned so-called "Tanger" monies in the amount of \$40,000 to the Riverhead Foundation for Marine Research (the "Foundation"); and

WHEREAS, on January 28, 1999 the Agency loaned so-called "Tanger" monies in the amount of \$20,000 to the Foundation; and

WHEREAS, it is now desired to forgive said loans and convert the same into grants; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. The aforesaid loans aggregating \$60,000 from the Agency to the Foundation are hereby FORGIVEN AND CONVERTED INTO GRANTS from the Agency to the Foundation.

Section 2. This resolution shall take effective immediately.

-2-

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Villella</u>	VOTING	<u>Tabled</u>
<u>Councilman Cardinale</u>	VOTING	<u>Tabled</u>
<u>Councilman Kent</u>	VOTING	<u>Tabled</u>
<u>Councilman Kwasna</u>	VOTING	<u>Tabled</u>
<u>Councilman Lull</u>	VOTING	<u>Tabled</u>

The resolution was thereupon declared duly adopted.

*

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*

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on December 21, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on December ___, 1999.

Secretary

(CORPORATE
SEAL)

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on December 21, 1999, at 5³⁰ pm o'clock P.M., Prevailing Time.

The meeting was called to order by Chairman Villalva and upon roll being called, the following were

PRESENT:

Villalva
Kent
Cardinale
Kwasna
Lull

ABSENT:

The following resolution was offered by Member
Lull, who moved its adoption, seconded by
 Member Kwasna, to-wit:

RESOLUTION DATED DECEMBER 21, 1999.

A RESOLUTION FORGIVING A LOAN BY THE TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY TO THE OKEANOS OCEAN
RESEARCH FOUNDATION

WHEREAS, on April 23, 1996, the Town of Riverhead Community
Development Agency (the "Agency") loaned the amount of \$24,437 to
the Okeanos Ocean Research Foundation (the "Okeanos"), such loan
being made with monies Okeanos had previously paid to the Agency;
and

WHEREAS, it is now desired to ^{acknowledge as uncollectable} ----- said loan; NOW,
THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1. The aforesaid loan in the amount of \$24,437
from the Agency to Okeanos is hereby FORGIVEN.

Section 2. This resolution shall take effective
immediately.

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on December 21, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

present at the Access Point at all times during the Event. Licensee further covenants and agrees not to permit any person that is not in a motor vehicle to enter the Calverton Site.

5. **PAYMENT.** The Fee and all other charges, costs and expenses payable by Licensee under this License shall be paid by certified check made payable to the order of The Town of Riverhead Community Development Agency and delivered to Andrea Lohneiss at the address provided for Licensor in the preamble to this License, without notice or demand therefor (except to the extent otherwise expressly provided herein) and without any deduction, credit, set-off, counterclaim or abatement whatsoever. In every case in which Licensee is required to pay to Licensor a sum of money and said sum (or any portion thereof) is not paid when due, interest at an annual rate of 12% shall be payable on such sum (or so much thereof as shall be unpaid) from the date said sum becomes due until the date the unpaid amount is paid.

6. **USE; COVENANTS.** (a) Licensee shall use the License Premises only for the purpose of filming a commercial on April 9, to prepare the License Premises for the same and to clean and restore the License Premises, in each case, in accordance with, and subject to, the terms and provisions of this License.

(b) Licensee, at its own cost and expense, shall protect, maintain, and keep in good order, the License Premises.

(c) No additions to, or alterations of, the License Premises shall be made without the prior consent of Licensor. Upon revocation or surrender of this License, to the extent directed by Licensor, Licensee shall remove all alterations, additions, betterments and improvements made, or installed, and restore the License Premises to the same, or as good condition as existed on the date of entry under this License, reasonable wear and tear excepted.

(d) Licensee shall be liable for any loss of, or damage to, the Calverton Site incurred in connection with the Event and shall make such restoration or repair, or monetary compensation as may be directed by Licensor. Licensee shall maintain, at a minimum, the types and amounts of insurance evidenced by the certificates attached hereto as Exhibit A. Licensee agrees that not less than thirty (30) days prior to the expiration of any insurance required by this License, it will deliver to Licensor's local representative a certificate of insurance or a certified copy of each renewal policy to cover the same risks. Each policy of insurance required hereunder shall name Licensor and Grubb & Ellis Management Services, Inc. as additional insureds. In the event that any item or part of the Calverton Site shall require repair, rebuilding or replacement resulting from loss or damage, the risk of which is assumed under this Section 6, Licensee shall promptly give notice thereof to Licensor and shall, upon demand, either compensate Licensor for such loss or damage, or rebuild, replace or repair the item or items of the Calverton Site so lost or damaged, as Licensor may elect. In the event Licensee shall not have been required to effect such repair, rebuilding, or replacement, and the insurance proceeds allocable to the loss or damage which has created the need for such repair, rebuilding or replacement have been paid to Licensee, Licensee shall promptly refund to Licensor the amount of such proceeds.

(e) Without limiting the generality of any other provision of this Agreement, Licensee hereby covenants and agrees that (i) at all times during the Term, adequate private security shall be present at the Calverton Site to protect persons and property at the Calverton Site, (ii) only the gate at the south end of the Calverton Site (the "Access Point") shall be used for access, (iii) Licensee shall prohibit any person from smoking, or carrying, using or drinking any alcoholic beverage or illegal substance, at the Calverton Site and adequate signage stating that smoking and carrying, using or drinking alcoholic beverages or illegal substances is

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prohibited at the Calverton Site shall be posted at the Access Point and (iv) Licensee shall provide ample vehicles, personnel, equipment and containers to clean the License Premises and insure that the same is restored to as good condition, subject to reasonable wear and tear, on the Expiration Date as it was in on the License Commencement Date.

(f) In connection with the performance of work under this License, Licensee agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The aforesaid provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Licensee agrees to post hereafter in conspicuous places available for employees and applicants for employment, notices to be provided by Licensor setting forth the provisions of the nondiscrimination clause. Licensee further agrees to insert the foregoing provision in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials.

7. **ASSIGNMENT AND LICENSING.** Notwithstanding anything to the contrary contained in this License, Licensee shall not assign this License, License the License Premises in whole or in part or permit Licensee's interest in this License to be vested in any party other than Licensee by operation of law or otherwise. A transfer of more than fifty (50%) percent at any one time or, in the aggregate from time to time, of the stock, partnership or other ownership interests in Licensee, direct or indirectly, shall be deemed to be an assignment of this License.

8. **LICENSOR'S REMEDIES.** (a) If Licensee fails to perform any of its obligations hereunder in accordance with the terms hereof, then, after reasonable notice to Licensee not to exceed thirty (30) days, and an opportunity for Licensee to cure such failure, (except in case of emergency) Licensor may (but shall not be obligated to) cure such failure at the expense of Licensee, and the amount incurred by Licensor in connection with such cure shall be payable by Licensee to Licensor on demand.

(b) Except as provided in Paragraph 2 and in the immediately following sentence, in the event of a breach by Licensee hereunder, Licensor shall be limited to an action at law for damages. Notwithstanding the foregoing, in the event that Licensee holds over after the expiration of the Term, (i) Licensee shall be obligated to pay Licensor an amount equal to \$1,500 per diem for each day of the holdover term and (ii) Licensor shall have all of the rights and remedies available to it at law or in equity, including, without limitation, the right to exercise self help and to dispossess Licensee of the License Premises, change the locks on the License Premises, deny Licensee access to the License Premises and take possession of or dispose of any property at the License Premises, all at the cost and expense of Licensee. Except as provided in Paragraph 2, in no event shall Licensor have the right to enjoin the development, production, distribution or exploitation of the commercial hereunder.

9. **INDEMNITY.** (a) Licensee shall indemnify and hold Licensor harmless from and against any and all claims, actions, liabilities, losses, damages (including, without limitation, consequential and special damages), costs and expenses (including, without limitation, court costs and reasonable attorneys' fees and expenses) arising from or in connection with (i) the use or occupancy by Licensee of the License Premises during the term hereof, or (ii) any work or thing done or any condition created by or any other act or omission of Licensee or its employees, agents, contractors, visitors or licensees, in the License Premises or any other part of the Calverton Site in connection with Licensee's use of the License Premises, or (iii) Licensee's failure to perform any of the obligations imposed on it hereunder.

(b) The foregoing indemnity does not include any claims, actions, liabilities, losses, damages, costs and expenses resulting from Licensor's gross negligence or willful misconduct.

10. **BROKERS**. Licensee represents that it has not dealt with any broker or finder with respect to this License. Licensee agrees to indemnify and hold Licensor harmless from and against any and all loss, liability, damage, cost and expense (including, but not limited to, court costs and reasonable attorneys' fees and expenses) which Licensor may incur or sustain in connection with any claim or action by any broker or finder that may be asserted against Licensor as a result of any conversations, correspondence or other dealings between Licensee and such broker or finder.

11. **NOTICES**. Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Licensee, it shall be addressed to Licensee at 105 Wooster Street, NY, NY 10012, Attention: Heesun Choi, and if such notice is directed to Licensor, it shall be addressed to Licensor at 200 Howell Avenue, Riverhead, New York 11901, Attention: Andrea Lohneiss. Either party may, by notice in writing, direct that future notices be sent to a different address and to the attention of such other people as either Licensor or Licensee shall designate.

12. **HAZARDOUS SUBSTANCES**. (a) **Generally**. Licensee shall not generate, store, manufacture, refine, transport, treat, dispose of, or otherwise permit to be present on or about the License Premises, any Hazardous Substances (other than Hazardous Substances (x) customarily used in events such as the Event and (y) used, stored, transported, and disposed of in strict compliance with applicable law). As used herein, the term "Hazardous Substances" shall mean any flammables, explosives, radioactive materials, hazardous wastes, hazardous and toxic substances or related materials, asbestos or any materials containing asbestos, or any other hazardous or toxic substance or material as defined by any Federal, State or local environmental law, rule or regulation, including, without limitation, the Resource Conservation and Recovery Act of 1976, as amended from time to time, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended from time to time, the Toxic Substances Control Act, as amended from time to time, the Hazardous Materials Transportation Act, as amended from time to time, and the regulations adopted and the publications promulgated pursuant to each of the foregoing.

(b) **Indemnification**. Licensee shall indemnify and hold harmless Licensor from and against any and all liabilities, damages, claims, losses, penalties, judgments, causes of action, costs and expenses (including, without limitation, court costs and the reasonable fees and expenses of counsel) which may be incurred by Licensor directly arising out of any breach by Licensee of the obligations imposed upon it under this Section 12. The foregoing indemnity shall survive the expiration or sooner termination of this License.

13. **MISCELLANEOUS**. (a) **Merger**. All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this License, which alone fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This License may not be changed or terminated orally or in any manner other than by a writing signed by the party against whom enforcement of the change or termination is sought.

(b) **Successors and Assigns**. This License shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns. The term "Licensor," as used in this License, shall mean only the owner from time to time of the License

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Premises, so that in the event of any transfer or assignment of the License Premises, the transferor or assignor shall be and hereby is entirely freed and relieved of all covenants, obligations and liability of Licensor under this License, and it shall be deemed, without further agreement, that the transferee or assignee has assumed and agreed to perform and observe all obligations of Licensor under this License during the period that such transferee or assignee is the owner of the interest of License Premises.

(c) Licensee represents that this License has been duly authorized, executed and delivered by Licensee and is enforceable against Licensee in accordance with its terms.

(d) Licensee shall own all rights of every kind associated with the commercial filmed hereunder and any and all photography and/or recordings made hereunder, including the right to utilize the same in connection with the commercial and in connection with any other productions, in any manner whatsoever, whether now known or hereafter devised in perpetuity and throughout the universe.

(e) Neither Licensor nor any tenant, nor other party now or hereafter having an interest in the Calverton Site, shall have any right of action based upon invasion of privacy, publicity, defamation, or other civil rights, in connection with the exercise of the permission and/or rights herein granted. Notwithstanding the foregoing, Licensee shall not use the name "Calverton" or "Riverhead", or any signage containing such names, and shall not use the names, pictures, or likenesses of any officials or employees of the Town of Riverhead in connection with or production of the commercial hereunder without the prior consent of Licensor, which consent shall not be unreasonably withheld or delayed.

IN WITNESS WHEREOF, Licensor and Licensee do hereby execute this License as of the date and year first above written.

LICENSOR:

**THE TOWN OF RIVERHEAD COMMUNITY
DEVELOPMENT AGENCY**

By: 

Name:

Title:

LICENSEE:

MC CREATIVE DESIGN

By: 

Name:

Title:

PATRICIA STETLY
PRODUCER

ACORD CERTIFICATE OF LIABILITY INSURANCE

04/07/2000

PRODUCER (212)490-8511 FAX (212)490-7236
 Taylor & Taylor Ltd.
 90 Park Avenue
 New York, NY 10016
 ttn: Tina Mims Ext:

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY A	Gulf Insurance Company
COMPANY B	
COMPANY C	
COMPANY D	

INSURED
 MC Creative Design
 c/o Taylor & Taylor
 90 Park Avenue
 New York, NY 10016

VERIFICATION

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

NO. TR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY	CLP461016	04/08/2000	04/20/2000	GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				PRODUCTS - COMP/OP AGG \$ 1,000,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				PERSONAL & ADV INJURY \$ 1,000,000
	OWNER'S & CONTRACTOR'S PROT				EACH OCCURRENCE \$ 1,000,000
					FIRE DAMAGE (Any one fire) \$ 500,000
					MED EXP (Any one person) \$ 5,000
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT \$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE \$
	<input type="checkbox"/> HIRED AUTOS				
	TRAILER LIABILITY				AUTO ONLY - EA ACCIDENT \$
	<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY: \$
					EACH ACCIDENT \$
					AGGREGATE \$
	EXCESS LIABILITY				EACH OCCURRENCE \$
	<input type="checkbox"/> UMBRELLA FORM				AGGREGATE \$
	<input type="checkbox"/> OTHER THAN UMBRELLA FORM				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS \$
	THE PROPRIETOR/ PARTNERS/EXECUTIVE OFFICERS ARE:				EL EACH ACCIDENT \$
	<input type="checkbox"/> INCL <input type="checkbox"/> EXCL				EL DISEASE - POLICY LIMIT \$
	OTHER				EL DISEASE - EA EMPLOYEE \$
A	Third party Property	CLP461016	04/08/2000	04/10/2000	\$25,000 Limit
					\$1,500 Deductible

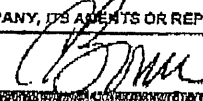
DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS
 Certificate holder is included as additional insured on the General Liability policy with respect to claims arising out of the negligence of the named insured. Shoot Date(s): 4/8/00 & 4/9/00 only.

ENDORSEMENTS

Calverton Airport / Grubb & Ellis
 Town of Riverhead
 Community Devel. Agency
 200 Howell Avenue
 Riverhead, NY 11901

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



Adopted

DECEMBER 21, 1999

TOWN OF RIVERHEAD

Resolution # 1151

MAINTENANCE MECHANIC II PROMOTION

COUNCILMAN KENT offered the following
resolution, which was seconded by COUNCILMAN CARDINALE

WHEREAS, Mr. Robert Hubbard is currently a laborer in Buildings & Grounds; and

WHEREAS, Mr. Robert Hubbard now meets the CDL requirement of Maintenance Mechanic II; and

NOW, THEREFORE, BE IT RESOLVED, that Mr. Robert Hubbard is hereby promoted to the position of Maintenance Mechanic II, Group 7, Step 3 of the Operational and Technical salary schedule at a annual salary of \$30,101.04; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Mr. Robert Hubbard, the Town Engineer's Office and the Office of Accounting.

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE AMENDED, WHICH WAS SECONDED BY COUNCILMAN CARDINALE.

ALL BOARD MEMBERS IN FAVOR OF AMENDMENT.

THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED.

Amendment was to change Step 3, salary of \$30,101.04

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No

Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No

Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

Resolution# 1152**Tabled**APPROVES EXPENSES OF ENVIRONMENTAL CONSULTANTS, EEA
INC.,
IN CONNECTION WITH TRADITIONAL LINKS ZONE CHANGE

COUNCILMAN CARDINALE offered the following
resolution, was seconded by

COUNCILMAN KENT

BE IT RESOLVED, that the Riverhead Town Board hereby
approves the expenses incurred by EEA Inc. in the amount of
\$9,940.00 to assist the Town Board in preparation of findings
for the Traditional Links Zone Change proposal; and be it
further

Resolved, that \$4,000 of the EEA expense is to be paid
from the fee charged the applicant by the Town of Riverhead
in connection with this project.

COUNCILMAN _____ THEN OFFERED THE
RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY
COUNCILMAN _____ ALL IN FAVOR OF
RESOLUTION FOR ADOPTION WITHOUT ADDENDUM. THE
RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

Tabled

EEA Inc.Environmental Consultants
Industry And Government55 Hilton Avenue
Garden City, New York 11530Telephone (516) 746-4400
(212) 227-3200**INVOICE**Invoice No.: 99433
Date: 11/08/99
Project No.: 99524
Terms: ReceiptMaureen T. Liccione, Esq.
Twomey, Latham, Shea & Kelley
33 West Second Street
Riverhead, NY 11901

For professional services during October, 1999 in connection with the review of an EIS for the Town of Riverhead - Traditional Links Golf Course.

A. Labor

R. Stoecker	20	hrs @ \$ 130.00	\$ 2,600.00
T. Melito	28	hrs @ \$ 100.00	\$ 2,800.00
		Subtotal	<u>\$ 5,400.00</u>

B. Other direct

NA

Total due this invoice.....\$ 5,400.00

INVOICE

Invoice No.: 99391
Date: 10/08/99
Project No.: 99524
Terms: Receipt

Maureen T. Liccione, Esq.
Twomey, Latham, Shea & Kelly
33 West Second Street
Riverhead, NY 11901

For professional services during September, 1999 in connection with the review of an EIS for the Town of Riverhead - Traditional Links Golf Course.

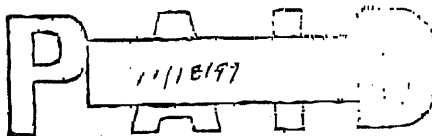
A. Labor

R. Stoecker	18	hrs @ \$ 130.00	\$ 2,340.00
T. Melito	22	hrs @ \$ 100.00	\$ 2,200.00
		Subtotal	<u>\$ 4,540.00</u>

B. Other direct

NA

Total due this invoice.....\$ 4,540.00



December 21, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 1153**AMENDS SITE PLAN OF MCDONALD'S CORP.****COUNCILMAN KWASNA**

offered the following resolution,

which was seconded by **COUNCILMAN LULL**:

WHEREAS, by Resolution # 996, dated November 3, 1999, the Riverhead Town Board did approve the site plan of McDonald's Corp. for construction of 2,458 Sq. ft restaurant on real property located at Rt. 25 A, Wading River; such real property more particularly described as Suffolk County Tax Map Number 600-73-1-1.12 & 1.20, and

WHEREAS, the Fire Marshal of the Town of Riverhead has recommended the installation of an additional fire hydrant at the site, and

WHEREAS, the petitioner has submitted an amended site plan depicting the location of such fire hydrant, and

WHEREAS, the Planning Department has recommended the approval of such amended site plan for McDonald's Corp., and

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead approves the amended site plan as prepared by Bohler Engineering, P.C. and dated December 13, 1999, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter Danowski, ESQ. PO Box 779 Riverhead, NY 11901, the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

THE VOTECardinale ☒ Yes ☐ No Kent ☒ Yes ☐ NoKwasna ☒ Yes ☐ No Lull ☒ Yes ☐ NoVilella ☒ Yes ☐ NoTHE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

December 21, 1999

TOWN OF RIVERHEAD

Adopted

Resolution # 1154

APPOINTS PUBLIC SAFETY DISPATCHER I

IN THE POLICE DEPARTMENT

COUNCILMAN LULL

offered the following

resolution, which was seconded by

COUNCILMAN KWASNA

WHEREAS, due to a employee resignation in the position of Public Dispatchers there is a vacancy for the position of Public Safety Dispatcher I in the Police Department, and

WHEREAS, the Town Board wishes to fill the vacancy; and

WHEREAS, the Personal Committee has interviewed all eligible candidates from the Suffolk County Department of Civil Service Certification of Eligibles Lists; and

NOW, THEREFORE, BE IT RESOLVED, that Tanya Gordon is hereby tentatively appointed to the position of Public Safety Dispatcher I, Group 1, Step P of the Administrative Salary Schedule with an annual salary of \$28,601.02 effective December 27, 1999, and

BE IT FURTHER, RESOLVED, that this appointment is subject to successfully passing further testing as mandated by the Suffolk County Department of Civil Service; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Tanya Gordon, the Police Department and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

December 21, 1999

TOWN OF RIVERHEAD

Resolution # 1155

APPOINTS PART TIME ANIMAL CONTROL OFFICER

COUNCILMAN KWASNA _____ offered the following

resolution, which was seconded by COUNCILMAN CARDINALE

WHEREAS, a vacancy exists at the Sanitation Department for the position of Part Time Animal Control Officer; and

WHEREAS, the Personnel Committee has interviewed all interested candidates; and

WHEREAS, interviews have been conducted and it is the recommendation of the Personnel Committee that we hire Frederick Drake; and

NOW, THEREFORE, BE IT RESOLVED, that effective December 27, 1999, the Town Board hereby appoints Frederick Drake to the position of Part Time Animal Control Officer at the hourly rate of \$12.2552 per hour.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Frederick Drake, the Sanitation Department, and the Office of Accounting.

THE VOTE

Cardinale ____ Yes ____ No Kent ____ Yes ____ No
Kwasna ____ Yes ____ No Lull ____ Yes ____ No
Vilella ____ Yes ____ No

THE RESOLUTION WAS ____ WAS NOT ____
THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 1156

APPROVES REQUEST FOR LEAVE OF ABSENCE

COUNCILMAN KENT offered the following
resolution, which was seconded by COUNCILMAN LULL

WHEREAS, Police Officer Tony F. Bassi has been ordered to active duty for training for four months; and

WHEREAS, Mr. Bassi has requested a non-paid leave of absence from this Town Board; and

NOW, THEREFORE, BE IT RESOLVED, that Mr. Tony F. Bassi's request for a leave of absence (unpaid) from January 2, 2000 to May 7, 2000 is hereby approved.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Mr. Tony F. Bassi, the Police Department and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

December 21, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 1157

PROMOTION TO ASSISTANT TOWN ENGINEER

COUNCILMAN CARDINALE _____ offered the following
resolution, which was seconded by **COUNCILMAN LULL** _____

WHEREAS, this Town Board wishes to recognize the accomplishment of a Town Employee who has obtained his professional engineers license; and

WHEREAS, the position of Assistant Town Engineer was duly posted and there were no willing acceptors from the Suffolk County List of Eligibles; and

NOW, THEREFORE, BE IT RESOLVED, that effective December 27, 1999, the Town Board hereby appoints Edward McCarthy provisionally to the position of Assistant Town Engineer, Group 9, Step 4 of the Administrative Salary Schedule at a salary of \$49,930.31; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Edward McCarthy, the Town Engineer's Office, and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

Adopted

RESOLUTION # 1158

**AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER FOR
ADVANCED WASTEWATER TREATMENT FACILITY UPGRADE AND
IMPROVEMENTS**

Adopted: December 21, 1999

COUNCILMAN LULL offered the following resolution which
was seconded by COUNCILMAN CARDINALE.

WHEREAS, on July 6, 1999, the Riverhead Town Board adopted Resolution #617 entitled, " Awards Bid for Construction of Advanced Wastewater Treatment Facility Riverhead Sewer District"; and

WHEREAS, the bid for General and Mechanical Construction (Contract G) was awarded to Bensin Contracting in the amount of \$5,735,000.00; and

WHEREAS, a time extension of 30 consecutive calendar days is requested and recommended by H2M Group to adjust the contract time for lost time associated with evaluating the impact of relocating the ultraviolet disinfection system, arranging for subcontractors to perform the work, ordering revised material and reorganizing the project at no additional compensation.

NOW, THERFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute the attached change order for a 30 day time extension and no additional compensation; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Mr. John Donaghy, Bensin Contracting, Inc., 652 Union Avenue, Holtsville, NY 11742, Frank Russo, P.E., Senior Project Manager, H2M Group, Frank Isler, Ken Testa and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

12/21/99

TOWN OF RIVERHEAD

Resolution # 1159

**AGREEING TO ASSIGNMENT OF CONTRACTS FOR THE COLLECTION AND
DISPOSAL OF SOLID WASTE FOR THE TOWN OF RIVERHEAD REFUSE AND
GARBAGE DISTRICT**

Councilman Kent offered the following resolution, seconded
by Councilman Kwasna:

WHEREAS by resolution # 797, dated August 17, 1999, the Town Board, as the governing body for the Riverhead Refuse and Garbage District, awarded George's Residential Sanitation Service Inc. the contracts for collections and disposal of Solid Waste (including yard waste) for Districts D, E and F; and

WHEREAS, in accordance with resolution # 797, contracts, dated October 15, 1999, were duly executed by the Town and George's Residential Sanitation Service Inc. for the collection and disposal of Solid Wastes (including yard waste) for Districts D, E and F; and

WHEREAS said contracts provide that assignment is prohibited without the prior consent of the Town of Riverhead; and

WHEREAS George's Residential Sanitation Service Inc. has advised the Town of Riverhead in writing that it has sold all of its assets to Waste Management of New York, Inc., including the contracts with the Town of Riverhead recited above; and

WHEREAS this sale of assets constitutes an assignment of the contracts without the prior consent of the Town; and

WHEREAS the contracts require performance of critical collection and disposal of Solid Waste (including yard waste) commencing on January 1, 2000; and

WHEREAS the Town received notice of this assignment after-the-fact and without sufficient time to pursue any of its rights under the contracts or under the provisions of the General Municipal Law, thereby leaving the Town with no practical alternative but to consent to the assignment so that these critical services are not disrupted;

Now, therefore

BE IT RESOLVED, that for the reasons stated above, the Town Board of the Town of Riverhead, as the governing body of

the Riverhead Refuse and Garbage District, hereby authorizes the Supervisor to execute the assignment of the contracts entered into with George's Residential Sanitation Service Inc. for the collection and disposal of Solid Wastes (including yard waste) for Districts D, E and F to Waste Management of New York, Inc., and to execute any other documents related to the assignment, provided that George's Residential Sanitation Service Inc. remains liable under the existing contracts and that new performance bonds, insurance certificates and other documents be posted and filed by Waste Management of New York, Inc.; and be it further

RESOLVED that the Town Clerk forward certified copies of this resolution to George's Residential Sanitation Services, Inc., Waste Management of New York, Inc., John H. Hansen, John Reeve, and Frank A. Isler, Esq.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

12/21/99

Town of Riverhead

Resolution # 1160

Waives Planning Board FeesCOUNCILMAN KWASNA

offered the following resolution,

which was seconded by COUNCILMAN KENT:

WHEREAS, the Town of Riverhead through the Community Development Agency (CDA), the Riverhead Development Corporation (RDC) and Grubb & Ellis has marketed the former Naval Weapons Industrial Reserve Plant / Calverton Enterprise Park for several years while developing a Comprehensive Reuse Plan, and Environmental Impact Statement and achieving transfer of title from the U.S. Navy; and

WHEREAS, the response from the development community has been both consistent and strong reflecting the opportunity that the site presents; and

WHEREAS, the RDC, with the representation of New York State and Suffolk County, and CDA, over several years and three Town Boards, have apolitically focused on the achievement of the following goals as set forth in the Comprehensive Reuse Plan:

1. Job creation;
2. Increase in tax base and property tax revenues to the Town of Riverhead, Riverhead Central School District and Suffolk County; and
3. Quality of life preservation; and

WHEREAS, the Town of Riverhead has equally respected the sensitive environmental issues presented by the site and its surroundings in its reuse planning, SEQRA compliance and evaluation of purchase and lease proposals; and

WHEREAS, in balancing the economic development objectives stipulated by the U.S. Congress in Public Law 103-c337 and the goals and priorities identified by the community in the Reuse planning process, the RDC and CDA have determined, and state, county and federal officials have affirmed, that the proposal made by Calverton Camelot LLC. will generate a positive, balanced impact to the Town of Riverhead and the region; and

WHEREAS, the acquisition of approximately 472 acres of real property, as depicted on Schedule A, inclusive of buildings, by Calverton Camelot LLC. for a purchase price of \$17 million cash at closing and the subsequent job creation, tax payments and performance of property maintenance responsibilities by Calverton Camelot LLC. will provide a significant benefit to the Town of Riverhead and its residents.

THEREFORE, BE IT RESOLVED, that the Town Board hereby waives the sketch plan, preliminary and final plat filing fees of the Riverhead Planning Board that would be incurred by the CDA as owner in the subdivision of the Calverton Enterprise Park.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Planning Director Richard Hanley and Community Development Agency Director Andrea Lohneiss.

DECEMBER 21, 1999

Adopted

TOWN OF RIVERHEADRESOLUTION# 1161AUTHORIZATION TO PUBLISH BID FOR DIESEL FUEL

COUNCILMAN CARDINALE offered the following resolution which was
seconded by COUNCILMAN KENT.

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **DIESEL FUEL** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **December 30, 1999** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **DIESEL FUEL** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on January 12, 2000.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation **BIDS FOR DIESEL FUEL.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

DECEMBER 21, 1999

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 1162

AUTHORIZATION TO PUBLISH BID FOR PROPANE

COUNCILMAN KENT offered the following resolution which was
seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **PROPANE** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **December 30, 1999** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **PROPANE** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05 a.m.** on **January 12, 2000.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation **BIDS FOR PROPANE.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

DECEMBER 21, 1999

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 1163

AUTHORIZATION TO PUBLISH BID FOR MEDICAL SUPPLIES

COUNCILMAN KWASNA offered the following resolution which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **MEDICAL SUPPLIES** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **December 30, 1999** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **MEDICAL SUPPLIES** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:10 a.m. on January 12, 2000.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation **BIDS FOR MEDICAL SUPPLIES.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

12/21/99

Adopted

TOWN OF RIVERHEAD

Resolution # 1164

EXTENDS CONTRACT WITH ARTHUR J. GALLAGHER & CO
AND ORACLE MANAGEMENT SERVICES INC.

COUNCILMAN CARDINALE offered the following
resolution, which was seconded by COUNCILMAN LULL

BE IT RESOLVED, the insurance program for the calendar year 2000 is awarded to Arthur J. Gallagher & Company of New York AND Oracle Management Services Inc. as Third Party Administrators (TPA).

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Arthur J. Gallagher & Co., 2 Gannett Drive, White Plains, NY 10604 and Oracle Management Services Inc., 358 Saw Mill River Road, Millwood, NY 105046 and the Office of Accounting.

THE VOTE

Cardinale	<u>Yes</u>	<u>No</u>	Kent	<u>Yes</u>	<u>No</u>
Kwasna	<u>Yes</u>	<u>No</u>	Lull	<u>Yes</u>	<u>No</u>
Villella	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>

THE RESOLUTION WAS X WAS NOT
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD



Policy	Annual Premium 1997-1998	Annual Premium 1998-1999	Annual Premium 1999-2000
United National Package	*\$198,000.	*\$204,000.	*\$239,000.
Excess Property	16,900.	18,500.	20,735.
Excess Liability (\$11,000,000.)	76,000.	22,000.	20,000.
Excess Workers' Compensation	20,000.	23,097.	21,184.
Boiler & Machinery + NYS Inspection Fees	3,150.	4,020.	4,261.
Third Party Administrator	25,000.	25,900.	30,000.
TOTALS	\$339,050.	\$297,587.	\$335,180.

**The above premiums are subject to Surplus Lines Taxes.*

The United National Package includes AJG Risk Management Fee (\$35,000.)

Workers' Compensation SIR is \$75,000.

DECEMBER 21, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 1165

APPOINTMENT OF DETENTION ATTENDANT

COUNCILMAN KWASNA offered the following resolution ,
which was seconded by COUNCILMAN KENT

WHEREAS, there is a need for a Detention Attendant in the Police Department;
and

WHEREAS, pursuant to interviews, a recommendation has been made by the Chief of Police to hire Janice Seus, Stephanie Eagan and Thomas Lima in the position on a part-time basis:

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby ratifies the appointment of Janice Seus, Stephanie Eagan and Thomas Lima to the position of Detention Attendant at an hourly rate of pay of \$11.20; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Janice Seus, Stephanie Eagan, Thomas Lima the Chief of Police and the Office of Accounting.

THE VOTE

Cardinale ☒ Yes ___ No ___ Kent ☒ Yes ___ No ___
Kwasna ☒ Yes ___ No ___ Lull ☒ Yes ___ No ___
Vilella ☒ Yes ___ No ___

THE RESOLUTION WAS ☒ WAS NOT ___
THEREUPON DULY DECLARED ADOPTED

Adopted

December 21, 1999

TOWN OF RIVERHEAD

1166

AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT
WITH COUNTY OF SUFFOLK YOUTH BUREAU

COUNCILMAN KWASNA offered the following resolution
which was seconded by COUNCILMAN KENT

WHEREAS, the Riverhead Town Board and the County of Suffolk desire to make available a Youth Development Delinquency Program in the Town of Riverhead.

NOW, THEREFORE, BE IT, RESOLVED, that the Supervisor be and hereby is authorized to enter into and execute an agreement between the County of Suffolk and Town of Riverhead to make available a Youth Development Delinquency Program in the Town of Riverhead; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Juvenile Aid Office and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

IFMS No. SCS EXE 00000002988
C/A Ref. YO001M/0021-02YN

AGREEMENT

THIS AGREEMENT is between the COUNTY OF SUFFOLK (the "COUNTY"), a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted YOUTH BUREAU (the "YOUTH BUREAU"), located at H. Lee Dennison Building – 3rd Floor, 100 Veterans Memorial Highway, Hauppauge, New York (Mailing address: Box 6100, Hauppauge, New York 11788-0099), and TOWN OF RIVERHEAD (JUVENILE AID BUREAU - YOUTH COUNSELING PROGRAM) (the "CONTRACTOR"), a New York municipal corporation, having its principal place of business at 210 Howell Avenue, Riverhead, New York 11901.

The parties hereto desire to make a Youth Development Delinquency Prevention Program available to the COUNTY, and sufficient funding exists in the 2000 Suffolk County Operating Budget.

TERM OF AGREEMENT: Shall be from January 1, 2000 through December 31, 2000, unless extended (but in no event beyond December 31, 2002) or terminated, as provided in Exhibit A.

STATE AID PERCENTAGE: 18% PERCENTAGE OF ADVANCE: 25%

TOTAL COST OF AGREEMENT: Shall not exceed \$31,630 for the initial Budget Period.

TERMS AND CONDITIONS: Shall be as set forth in Exhibit A attached.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the latest date written below.

TOWN OF RIVERHEAD (JUVENILE AID
BUREAU - YOUTH COUNSELING
PROGRAM

By: _____

[Please print name and title under signature.]

Fed. Taxpayer ID #

Date: _____

APPROVED AS TO FORM, NOT
REVIEWED AS TO EXECUTION:

ROBERT J. CIMINO
Suffolk County Attorney

By: _____
Patricia Jordan Date
Assistant County Attorney

COUNTY OF SUFFOLK

By: _____
ERIC A. KOPP
Chief Deputy County Executive

Date: _____

APPROVED:

CLARE E. RODEN, Director
YOUTH BUREAU
Human Services Division
OFFICE OF THE COUNTY EXECUTIVE

Date: _____

12/21/99

TOWN OF RIVERHEAD

Resolution # 1167**ADOPTS A LOCAL LAW AMENDING CHAPTER 58 "DOGS" OF THE RIVERHEAD TOWN CODE**COUNCILMAN CARDINALE

offered the following resolution, was seconded by

COUNCILMAN KENT :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a proposed local law to amend Chapter 58, "Dogs" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 7th day of December, 1999 at 7:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the proposed local law to amend Chapter 58 "Dogs" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the **News Review** and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the James Lull, Councilman; Captain David Hegermiller, Police Department; the Dog Control Officer and Matthew White, Ordinance Inspector, Sanitation Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 58 entitled "Dogs" of the Riverhead Town at its regular meeting held on December 21, 1999 as follows:

§ 58-2. Restraining the running of dogs at large.

A. Every person owning or having charge, custody, care or control of any dog, whether licensed or not, shall keep such dog exclusively upon his own premises; provided, however, that such dog may be off the owner's premises under the following conditions:

- (1) ~~Such dog is muzzled.~~
- (2) Such dog when off such premises is under the immediate and reasonable control of its owner.
- (3) ~~Such dog, if elsewhere than on the premises of such person or on the premises of another person, is on such other premises with the consent of such other person, or such person is engaged in hunting wild birds or animals with the aid of such dog during open seasons or such person shall take such dog afield for training in hunting.~~
- (3) ~~If any time such dog is not muzzled, it~~ Such dog must be fully controlled by its owner by means of a rope, leash or other similar device when on any street, highway, park or public place in the Town of Riverhead.

§ 58-4.1. Voluntary surrender of an identified dog.

The owner or authorized agent of the owner of a dog licensed by the Town of Riverhead may voluntarily surrender such dog to the Town of Riverhead Dog Control Officer upon the payment of a surrender fee of ~~ten dollars (\$10.)~~ fifteen dollars (\$15.) and the execution of a written consent in which the owner shall forfeit all title to such dog. Such dog may be offered for adoption immediately by the Dog Control Officer ~~and shall be maintained for a period of ten (10) days as prescribed by § 58-4 of this Code or euthanized at the discretion of the Dog Control Officer.~~

§ 58-5. Confinement of dogs that bite.

The owner of a dog which bites any person shall be required to confine said dog and keep it under observation for a period of at least ~~seven (7)~~ ten (10) days. All expenses incurred incidental to said dog bite shall be borne by the owner of the biting dog. The owner of a dog which bites any person may shall notify and report such incident to the Suffolk County Health Department and the Riverhead Police Department by the end of the next business day. In the event that the biting dog must be disposed of, its head must not be damaged in any way, to provide a proper examination by an investigating agency. If at the end of the ~~seven-day~~ ten-day observation period the dog is alive and healthy and said dog fulfills all other conditions of this Article, it may be released from confinement.



§ 58-8. Penalties for offenses.

Any person owning or harboring a dog in violation of any of the provisions of this article shall be guilty of a violation, punishable by imprisonment for a term not in excess of 15 days and/or by a fine of not less than \$25 \$50 for the first offense and ~~not less than \$50 for the second offense~~ and not less than \$100 for each subsequent offense.

Dated: Riverhead, New York
December 21, 1999

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

-  Underline represents addition(s)
-  Overstrike represents deletion(s)

12/21/99

Adopted

TOWN OF RIVERHEAD

Resolution # 1168

**AUTHORIZES THE TOWN OF RIVERHEAD TO SECURE, DEMOLISH OR REMOVE
UNSAFE BUILDING OR STRUCTURE PURSUANT TO CHAPTER 54 OF THE
RIVERHEAD TOWN CODE (SOPHIE SEMASCHUK – 1031 PARKWAY STREET)**

COUNCILMAN KENT

offered the following resolution, was seconded by

COUNCILMAN CARDINALE :

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code entitled, "Unsafe Buildings and Collapsed Structures", certain land and buildings reputedly owned by Sophie Semaschuk located at 1031 Parkway Street, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-124-1-3 has been determined by the Building Inspector to be unsafe and dangerous to the public;

WHEREAS, all notices pursuant to Chapter 54 of the Riverhead Town Code have been served; and

WHEREAS, a public hearing was held on the 28th day of October, 1999 at 1:00 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice and all persons wishing to be heard were heard; and

WHEREAS, the owners have not taken any steps toward abating the conditions by repair and rehabilitation or by demolition and removal in accordance with the procedures set forth in Chapter 54 of the Riverhead Town Code.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Engineering Department to assist the Building Department in connection with any work done to remove the danger or in connection with the demolition and removal or the securing of any such building or structure; and be it further

RESOLVED, that pursuant to Chapter 54, Section 54-9, all actual expenses incurred by the Town of Riverhead to remove the danger or in connection with the demolition and removal of any such buildings or structures shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sophie Semaschuk, 1387 William Floyd Parkway, Shirley, New York, 11967; Kenneth Testa, P.E., the Building Department; the Tax Receiver's Office; the Assessor's Office; the Office of Accounting and the Town Attorney's Office.

12/21/99

Adopted

TOWN OF RIVERHEAD

Resolution # 1169

**AUTHORIZES THE SUPERVISOR TO EXECUTE A VOUCHER & RELEASE (LAST
WILL AND TESTAMENT BEQUEST TO RIVERHEAD TOWN VOLUNTEER
AMBULANCE CORPS)**

COUNCILMAN KWASNA offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, Anna D. Conklin, deceased, has left a monetary bequest to the Riverhead Town Volunteer Ambulance Corp.; and

WHEREAS, Douglas Conklin, as Executor of the Last Will and Testament of Anna D. Conklin, has forwarded a Voucher & Release Waiver & Receipt (copy attached) in connection with said bequest.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead be and hereby authorizes the Supervisor to execute a Voucher & Release Waiver & Consent in connection with the monetary bequest made to the Riverhead Town Volunteer Ambulance Corp.; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to John M. Czygier, Jr., Esq., attorney for Douglas Conklin, 214 Roanoke Avenue, P.O. Box 449, Riverhead, New York, 11901; the Riverhead Town Volunteer Ambulance Corp.; the Town Attorney's Office and Jack Hansen, Financial Administrator.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

STATE OF NEW YORK
SURROGATE'S COURT : COUNTY OF SUFFOLK

Probate Proceeding, Will of

File No. 1651 P 99
VOUCHER & RELEASE
WAIVER & RECEIPT

ANNA D. CONKLIN,
Deceased.

The RIVERHEAD TOWN VOLUNTEER AMBULANCE CORPS., does hereby certify that it has received from DOUGLAS CONKLIN, as Executor of the Last Will and Testament of ANNA D. CONKLIN, deceased, the sum of Three Thousand Dollars (\$3,000.00) in full satisfaction of the bequest in Paragraph "THIRD" of the Last Will and Testament of ANNA D. CONKLIN, deceased.

The RIVERHEAD TOWN VOLUNTEER AMBULANCE CORPS. agrees that if any taxes, expenses or charges of any nature whatsoever which would have been properly chargeable against any time become payable by DOUGLAS CONKLIN individually or as Executor, it will promptly upon notice pay over to DOUGLAS CONKLIN, individually or as Executor, on demand, a sum or sums sufficient to meet all such taxes, expenses and other charges, not to exceed, however, the amount of property so distributed to it.

And the RIVERHEAD TOWN VOLUNTEER AMBULANCE CORPS. does hereby waive the issue and service of process to attend any judicial settlement of the account of said executor or administrator and consent that such accounting may be had at any time without the issue or service upon it of process and that said executor or administrator may be finally discharged from his trust by the Court.

The RIVERHEAD TOWN VOLUNTEER AMBULANCE CORPS. hereby releases and discharges DOUGLAS CONKLIN, as Executor of the Last Will and Testament of ANNA D. CONKLIN, deceased of and from every claim and demand whatsoever and do hereby waive the issue and service of a citation to it to show cause why the account of proceedings of DOUGLAS CONKLIN, as Executor of the Last Will and Testament of ANNA D. CONKLIN, deceased, should not be judicially settled, and do hereby appear in person in any such proceeding and consent to the entry of a decree settling said account as filed and adjusted without further notice to it.

RIVERHEAD TOWN VOLUNTEER AMBULANCE
CORPS.

By: _____

12/21/99

Adopted

TOWN OF RIVERHEAD

Resolution # 1170

APPROVES APPLICATION FOR FIREWORKS PERMIT OF
RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
(NEW YEAR'S EVE GALA)

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN KWASNA :

WHEREAS, the Riverhead Community Development Agency has submitted a Fireworks Permit Application for the purpose of conducting a fireworks display to be held on the grounds of Calverton Enterprise Park at Calverton, Riverhead, New York, on December 31, 1999 at 9:30 p.m.; and

WHEREAS, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Manorville Fire Department and a certificate of insurance from the fireworks company naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form.

NOW THEREFORE BE IT RESOLVED, that the Fireworks Permit Application of the Riverhead Community Development Agency for the purpose of conducting a fireworks display to be held on the grounds of Calverton Enterprise Park at Calverton, Riverhead, New York on December 31, 1999 at 9:30 p.m., is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Andrea Lohniess, Director, Community Development Agency; Bruce Johnson, Riverhead Fire Marshall; the East End Arts Council for the Riverhead Theatre Corp., 133 East Main Street, Riverhead, New York, 11901; the Manorville Fire Department and the Riverhead Police Department.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Vilella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

ORD.

& Humphrey Surplus Lines
Montgomery St. Suite 500
San Francisco, CA 94104

Fireworks, Inc.
Box 912
Roseton, NY 11791

VS

DATE (MM/DD/YY)

10/06/99

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

COMPANY A Underwriters, Lloyds & CNA Re

COMPANY B Royal Insurance Company

COMPANY C

COMPANY D

TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, CONDITIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
GENERAL LIABILITY COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR OWNER'S & CONTRACTOR'S PROTECTIVE	Z99/0518	05/20/99	05/20/00	GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 PERSONAL & ADV INJURY \$ 1,000,000 EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ 50,000 MED EXP (Any one person) \$ 5,000
MOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS LEASED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
UMV LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: \$ EACH ACCIDENT \$ AGGREGATE \$
UMBRELLA LIABILITY UMBRELLA FORM OTHER THAN UMBRELLA FORM	PHA203494	05/20/99	05/20/00	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 WC STATUTORY LIMITS \$ OTHER \$
EMPLOYERS' COMPENSATION AND EMPLOYERS' LIABILITY PROPRIETOR/OWNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL				EL EACH ACCIDENT \$ EL DISEASE - POLICY LIMIT \$ EL DISEASE - EA EMPLOYEE \$

LOCATION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

Town of Riverhead and 2) Riverhead Business Improvement Management Association, Inc. are Additional Insureds as Respects a Fireworks Display
December 31, 1999.

CERTIFICATE HOLDER

Riverhead Business Improvement
Management Association, Inc.
c/o Tim Yousik
P.O. Box 689
Riverhead, NY 11901

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



Tabled

12/21/99

TOWN OF RIVERHEAD

Resolution # 1171

**ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS – ROBERT
KRUDOP**

COUNCILMAN CARDINALE offered the following resolution, which was seconded

by **COUNCILMAN KWASNA** :

Tabled

WHEREAS, the Riverhead Farmland Preservation Committee (“the Committee”) has received an offer for sale of development rights from Robert Krudop, respecting 33.975 acres of real property located on Sound Avenue, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map number 0600-8-2-15.1; and

WHEREAS, the Committee has commissioned an appraisal of the value of development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of development rights from the property; and

WHEREAS, the Town Board has carefully considered the merits of the offer sale of development rights, the report of the Peconic Land Trust, the appraisal of development rights by Given Associates, the report of the Farmland Preservation Committee, the criteria set forth in the agricultural preservation law and all other pertinent planning, zoning and environmental information;

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of development rights from the subject real property of Richard Krudop, pursuant to Chapter 44, Section 44-5 B(2) of the Code of the Town of Riverhead; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject property in an amount not to exceed Eight Thousand Eight Hundred Thirty Dollars (\$8,830.00) per acre; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O. Box 779 Riverhead, New York, 11901; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie Westnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11968; the Planning Department and the Office of the Town Attorney.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ~~ADOPTED~~

Tabled

Adopted

12/21/99

TOWN OF RIVERHEAD

Resolution # 1172

AUTHORIZES THE RELEASE OF PERFORMANCE BOND FOR
RIVERHEAD LANDING APARTMENTS, LP.

COUNCILMAN KWASNA offered the following resolution, which was
seconded by COUNCILMAN CARDINALE.

WHEREAS, *Riverhead Landing Apartments LP.* posted a 5% Performance Bond in the sum of Four Hundred Fifty-Seven Thousand Six Hundred Sixty-Eight Dollars (\$457, 668.00) pursuant to Section 108-133.1 of the Riverhead Town Code;

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and Certificate of Occupancy has been issued for said construction.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the Performance Board in the amount of Four Hundred Fifty-Seven Thousand Six Hundred Sixty-Eight dollars (457,668.00) And be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Leroy Barnes, Building Department Administrator; Riverhead Landing Apartments, LP at East End Properties LLC, 625 Madison Avenue, 10th Floor, New York, New York 10022; and Charlene Cambia, Senior Auditor; and the Accounting Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lili	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Building Dept

PERFORMANCE BOND

SURETY BOND NO: SC 111 19405964

ALL MEN BY THESE PRESENTS: that

Head Landing Apartments, LP. c/o East End
rties, LLC., 625 Madison Ave, 10th Floor
ork, New York 10022

(Here insert full name and address or legal title of Contractor)

ncipal,

an's Fund Insurance Company
Liberty Plaza, 20th Floor
ork, New York 10006

(Here insert full name and address or legal title of Surety)

ety, hereinafter called Surety, are held and firmly bound unto

of Riverhead
owell Avenue
head, New York 11902

(Here insert full name and address or legal title of Owner)

ee, hereinafter called Owner, in the amount of

r Hundred & Fifty-Seven Thousand Six Hundred & Sixty-Eight Dollars & 00/100**

Dollars (\$ 457,668.00-----)

e payment whereof Principal and Surety bind themselves, their heirs, executors,
strators, successors and assigns, jointly and severally, firmly by these presents.

S,

ipal has by written agreement dated June 12, 19 97 ,

e form of Resolution 515 received Site Plan approval for construction of Riverhead
ng Apartments and hereby posts the required security pursuant to Paragraph 11 of
ution 515.

resolution is by reference made a part hereof, and is hereinafter referred to as the
tion.

HEREFORE, THE CONDITION OF THIS OBLIGATION is such that, if Principal shall promptly and faithfully perform said work pursuant to Paragraph 11 of the Resolution, this this condition shall be null and void; otherwise it shall remain in full force and effect.

Surety hereby waives notice of any alteration of time made by the Owner.

Principal shall be, and declared by the Owner to be, in default under the Resolution when he fails to perform Owner's obligations; the Surety may promptly remedy the default and shall promptly

complete the work in accordance with its terms and conditions; or

submit a bid or bids for completing the work in accordance with its terms and conditions, and the selection by Surety of the lowest responsible bidder, or, if the Owner elects, upon determination by the Owner and the Surety jointly of the most responsible bidder, arrange for a contract with the bidder and Owner, and make available the work progresses (even though there should be no default or a succession of defaults under the

Resolution) sufficient funds to pay the cost of completion but not exceeding, \$1,000,000.00 (One Million Dollars & no cents)

Any suit under this bond must be instituted before the expiration of two (2) years from the date on which the work is completed.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the Owner named herein or the heirs, executors, administrators or successors of the Owner.

Witnessed and sealed this 09th

day of January,

19 98

Riverhead Landing Apartments, LP. c/o
BY: East End Properties, LLC.

[Signature] (Principal) (Seal)

Manager of General Partner
(Title)

BY: Fireman's Fund Insurance Company

[Signature] (Surety) (Seal)

Cheri Coxpoulos
(Witness)

[Signature]
Denise Alexanian, (Title) Attorney-in-Fact

County of _____ } ss.

On this _____ day of _____, 19____, before me personally came

_____ to me known,
and known to me to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he executed
the same.

My commission expires _____ Notary Public

State of _____ } ss.
County of _____

On this _____ day of _____, 19____, before me personally came

_____ to me known and known to me

to be a member of the firm of _____
described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed the same as and for the
act and deed of said firm.

My commission expires _____ Notary Public

State of New York } ss.
County of New York

On this 12th day of January, 1998, before me personally came

A.B. HANOS, to me known

who being by me duly sworn, did depose and say that he is the Manager

of Riverhead Landing Apartments, LP. c/p East End Properties, LLC.

the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to
said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his
name thereto by like order.

My commission expires _____
BERNADINET T. HOURIHANE
Notary Public, State of New York
No. 41-4815779
Qualified in Queens County
Certificate Filed in New York County
Commission Expires July 31, 1992

Bernadine T. Hourihane
Notary Public

State of New York } ss.
County of Westchester

On this 09th day of January, 1998, before me personally came

Denise Alexanian to me known, who, being by me duly sworn, did depose and say that:

he is an attorney-in-fact of Fireman's Fund Insurance Company

the corporation described in and which executed the within instrument; that he knows the corporate seal of said corporation; that the seal
affixed to the within instrument is such corporate seal, and that he signed the said instrument and affixed the said seal as Attorney-in-Fac
t, authority of the Board of Directors of said corporation and by authority of this office under the Standing Resolutions thereof.

My commission expires _____
Richard K. Kalnz
Notary Public, State of NY
No. KA484 1884
Qualified in Nassau County
Commission Expires: 07/31/99

Richard K. Kalnz
Notary Public



**Fireman's
Fund**

Fireman's Fund
Insurance Company

FIREMAN'S FUND INSURANCE COMPANY
SUMMARY FINANCIAL STATEMENT - December 31, 1996

(As Filed with Insurance Department of the State of California)

ASSETS:

*Government Bonds	\$ 1,763,404,851
*State and Municipal Bonds	302,752,591
*Miscellaneous Bonds	3,612,664,380
+Stocks	2,556,592,752
Cash in Bank and Company's Office	36,492,385
Accrued Interest	83,631,235
Premiums in Course of Collection and Other Assets	<u>1,186,140,597</u>
Total Assets	\$ <u>9,541,678,791</u>

LIABILITIES, SURPLUS AND OTHER FUNDS:

Loss and Loss Expense Reserve	\$ 5,146,269,846
Unearned Premium Reserve	951,178,285
All Other Claims, Demands and Reserves	<u>1,116,405,074</u>
Total Liabilities	7,213,853,205
Capital Paid-up	\$ 4,200,000
Net Surplus	2,298,895,938
Aggregate write-ins for special surplus funds	<u>24,729,648</u>
Policyholder's Surplus	<u>2,327,825,586</u>
Total Capital, Surplus and Reserves	\$ <u>9,541,678,791</u>

0

*Bonds are stated at Amortized Values
+Stocks are stated at Market Values

State of California)
County of Marin) ss

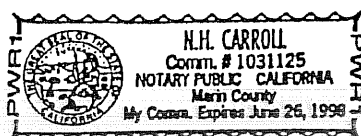
I, M. A. Mallonee, Vice President of Fireman's Fund Insurance Company, do hereby certify that the above is a true statement of the assets and liabilities of said Corporation as of December 31, 1996, taken from the books and records of said Corporation.



M. A. Mallonee
M. A. Mallonee, Vice President

State of California)
County of Marin) ss

Subscribed and sworn before me, a Notary Public of the State of California, in the County of Marin, this 21st day of February, 1997.



N.H. Carroll
Notary Public of California

GENERAL
COUNSEL
OF
COUNSEL

FIREMAN'S FUND INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That FIREMAN'S FUND INSURANCE COMPANY, a Corporation duly organized and existing under the laws of California, and having its principal office in the County of Marin, State of California, has made, constituted and appointed, and does by these presents, constitute and appoint **EDMUND J. BERGASSI, GEORGE D. SKINNER, DENISE ALEXANIAN,** jointly or severally

of NEW ROCHELLE NY
and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof

to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

power of attorney is granted pursuant to Article VII, Sections 45 and 46 of By-laws of FIREMAN'S FUND INSURANCE COMPANY now in full force and effect.

Article VII. Appointment and Authority of Resident Secretaries, Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.

Section 45. Appointment. The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 46. Authority. The authority of such Resident Assistant Secretaries, Attorneys-in-Fact and Agents shall be as prescribed in the instrument evidencing such appointment. Any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to do so.

power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of FIREMAN'S FUND INSURANCE COMPANY at a meeting duly called and held on the 7th day of August, 1984, and said Resolution has not been amended or repealed:

RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding on the Corporation."

WITNESS WHEREOF, FIREMAN'S FUND INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal hereunto affixed this

19th day of November, 1996.



FIREMAN'S FUND INSURANCE COMPANY

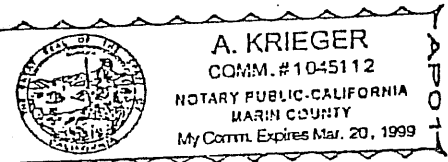
By [Signature]
Vice-President

STATE OF CALIFORNIA
COUNTY OF MARIN

} ss.

this 19th day of November, 1996, before me personally came M. A. Mallonee, known, who, being by me duly sworn, did depose and say: that he is Vice-President of FIREMAN'S FUND INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.



[Signature]
Notary Public

CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF MARIN

} ss.

we undersigned, Resident Assistant Secretary of FIREMAN'S FUND INSURANCE COMPANY, a CALIFORNIA Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VII, Sections 45 and 46 of the By-laws of the Corporation, and the Resolution of the Board of Directors; set forth in the Power of Attorney, are now in force.

and sealed at the County of Marin. Dated the 09th day of January, 1998.



[Signature]
Resident Assistant Secretary

Adopted

12/21/99

TOWN OF RIVERHEAD

Resolution # 1173

**ACCEPTS IRREVOCABLE LETTER OF CREDIT OF TANGER PROPERTIES,
LTD PARTNERSHIP (SUITE 400)**

COUNCILMAN KENT offered the following resolution, was seconded

by COUNCILMAN LULL:

WHEREAS, by Resolution #928 adopted on October 19, 1999 and further amended on November 16, 1999 by Resolution #1038, the Riverhead Planning Board approved the site plan of Tanger Properties LTD. Partnership, for the construction of a 12,000 square foot free standing building at Tanger I Factory Outlet Center, Suite 400, Riverhead, New York, with one of the conditions of the final approval being the submission and filing of a performance bond or other equivalent security pursuant to Section 108-133 I. of the Code of the Town of Riverhead; and

WHEREAS, Tanger Properties LTD. Partnership has submitted to the Town, Bank of America Irrevocable Letter of Credit #3021283 in the amount of Forty Five Thousand Eight Hundred Eighty and 00/100 Dollars (\$45,880.00); and

WHEREAS, said Bank of America Irrevocable Letter of Credit is found to be acceptable security in connection with the construction of a 12,000 square foot free standing building to be located at Tanger I Factory Outlet, Suite 400, Riverhead, New York.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby accepts Bank of America Irrevocable Letter of Credit #3021283 in the amount of Forty Five Thousand Eight Hundred Eighty and 00/100 Dollars (\$45,880.00); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; the Planning Department; the Building Department and the Town Attorney's Office.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

Adopted

12/21/99

TOWN OF RIVERHEAD

Resolution # 1174**ACCEPTS PERFORMANCE BOND OF ATLANTIS MARINE WORLD**

COUNCILMAN LULL offered the following resolution, was seconded
by COUNCILMAN KENT :

WHEREAS, by resolution adopted on June 28, 1999, the Riverhead Planning Board approved the site plan of Atlantis Marine World, for a construction of an aquarium or similar facility consisting of at least 30,000 square feet to include infrastructure improvements located at East Main Street, Riverhead, New York, known as Suffolk County Tax Map #0600-129-4-18.5, with one of the conditions of the final approval being the submission and filing of a performance bond or other equivalent security pursuant to Section 108-133 I. of the Code of the Town of Riverhead; and

WHEREAS, Atlantis Marine World has submitted to the Town, Fireman's Fund Performance Bond #11119451224 in the amount of Three Hundred Thousand and 00/100 Dollars (\$300,000.00); and

WHEREAS, said Fireman's Fund performance bond is found to be acceptable security in connection with the construction of an aquarium or similar facility to be located on East Main Street, Riverhead, New York.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby accepts Fireman's Fund Performance Bond #11119451224 in the amount of Three Hundred Thousand and 00/100 Dollars (\$300,000.00); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to J. Petrocelli Contracting, Inc., 100 Comac Street, Ronkonkoma, New York, 11779; the Planning Department; the Building Department and the Town Attorney's Office.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

12/21/99

ADOPTED

TOWN OF RIVERHEAD

Resolution # 1175**ACCEPTS LETTER OF CREDIT OF WAL-MART STORES, INC.**COUNCILMAN CARDINALE offered the following resolution, was seconded byCOUNCILMAN LULL :

WHEREAS, Wal-Mart Stores, Inc. has posted a Bank of America Letter of Credit #3021313 in the sum of \$113,490.00 representing the 5% site plan bond for construction of the exterior building and sitework at the former Caldor Store, Rte 58, Riverhead, pursuant to Section 108-133 I. of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said Letter of Credit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the Bank of America Letter of Credit #3021313 in the sum of \$113,490.00 issued to the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Wal-Mart Stores, Inc., Attn: Steve Mitcheal, 702 Southwest 8th Street, Bentonville, AR, 72716; Cross River Architects, P.O. 384, 19 N. Salem Road, Cross River, New York, 10518; the Building Department; the Planning Department and the Accounting Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

12/21/99

TOWN OF RIVERHEAD

Resolution # 1176

ACCEPTS S.C.N.B. IRREVOCABLE LETTER OF CREDIT OF ZOUMAS
CONTRACTING CORP. – FOX MEADOW ESTATES
(ROAD & DRAINAGE IMPROVEMENT FEES)

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN CARDINALE

WHEREAS, by resolution adopted on November 30, 1999, the Riverhead Planning Board conditionally approved the subdivision known as the "Fox Meadow Estates" with one of the conditions of final approval being the submission and filing of a performance bond or other acceptable form of performance security in the amount of \$234,000.00 covering the road and drainage improvements within said subdivision; and

WHEREAS, Zoumas contracting Corp. has submitted to the Town an irrevocable letter of credit drawn by Suffolk County National Bank, Letter of Credit No. 991021 in the amount of \$234,000.00 having an expiration date of October 15, 2000; and

WHEREAS, the Town Attorney has reviewed said S.C.N.B. Irrevocable Letter of Credit No. 991021 and determined that same is satisfactory in its form.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby accepts S.C.N.B. Irrevocable Letter of Credit No. 991021 in the amount of \$234,000.00 covering the road and drainage improvements within said subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Zoumas Contracting Corp., 18 Deerfield Drive, Wading River, New York, 11792; the Planning Department; the Planning Board; the Building Department and the Office of the Town Attorney.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

12/21/99

TOWN OF RIVERHEAD

Adopted

Resolution # 1177³**ACCEPTS S.C.N.B. IRREVOCABLE LETTERS OF CREDIT OF 1994 SOUNDVIEW GOLF, INC. FOR THE SOUND BREEZE SUBDIVISION (SECTION 4)**COUNCILMAN KWASNA offered the following resolution, was seconded byCOUNCILMAN KENT :

WHEREAS, pursuant to Resolution #895 adopted on October 6, 1998, the Riverhead Town Board accepted S.C.N.B. Irrevocable Letter of Credit #980130B in the amount of Two Hundred Forty Three Thousand Six Hundred Seventy Seven and 00/100 (\$243,677.00) Dollars covering road and drainage fees, S.C.N.B. Irrevocable Letter of Credit #980130A in the amount of Twenty Five Thousand and 00/100 (\$25,000.00) Dollars covering Water District Key Money; S.C.N.B. Irrevocable Letter of Credit #980130 in the amount of Twenty Thousand and 00/100 (\$20,000.00) Dollars covering park and recreation fees and S.C.N.B. Irrevocable Letter of Credit #970913 in the amount of One Hundred Forty Eight Thousand and 00/100 (\$148,000.00) Dollars covering the access road improvements in connection with the subdivision entitled, "Sound Breeze – Section 4"; and

WHEREAS, all of the aforementioned S.C.N.B. Irrevocable Letters of Credit had an expiration date of September 13, 1999; and

WHEREAS, Allen M. Smith, Esq., attorney for 1994 Soundview Golf, Inc. has submitted the following Suffolk County National Bank Irrevocable Letters of Credit all of which have an expiration date of December 1, 2000, to replace the aforementioned expired letters of credit:

SCNB Irrevocable Letter Credit #991201A (covering Water District Key Money Fees)	\$25,000.00
SCNB Irrevocable Letter of Credit #991201 (covering Recreation Fees)	\$20,000.00
SCNB Irrevocable Letter of Credit #991201B (covering Road and Drainage Improvements)	\$243,667.00
SCNB Irrevocable Letter of Credit #991201C (covering Access Road Construction).	\$148,000.00

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead be and hereby accepts S.C.N.B. Irrevocable Letter of Credit #991201A; #991201; #991201B and #990201C in connection with the subdivision entitled, "Sound Breeze – Section 4"; and be it further

RESOLVED, that upon the filing of these updated S.C.N. B. Irrevocable Letters of Credit, the Town Clerk be and is hereby authorized to release all of the S.C.N.B. Irrevocable Letters of

Credit in the first "WHEREAS" paragraph of this resolution to Allen M. Smith, Esq.; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Allen M. Smith, Esq., 737 Roanoke Avenue, P.O. Box 1240, Riverhead, New York, 11901; the Planning Department; the Building Department and the Town Attorney's Office.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

12/21/99

TOWN OF RIVERHEAD

Resolution # 1178

Adopted

**RESOLUTION AND CONSENT APPROVING THE DEDICATION OF
HIGHWAYS KNOWN AS DOGWOOD LANE SOUTH AND BAYBERRY ROAD**COUNCILMAN KENT offered the following resolution, was secondedby COUNCILMAN KWASNA:

At a regular meeting of the
Town Board of the Town of
Riverhead, in the County of
Suffolk, State of New York,
held at 200 Howell Avenue,
Riverhead, New York on the
21st day of December, 1999.

P R E S E N T :

Hon. Vincent Villella, Supervisor
Mark Kwasna, Councilman
James Lull, Councilman
Phil Cardinale, Councilman
Christopher Kent, Councilman

X

In the Matter of the Dedication of
Certain Highways in the Town of
Riverhead, County of Suffolk and
State of New York, Known as

**RESOLUTION
AND CONSENT**

**DOGWOOD LANE SOUTH and
BAYBERRY ROAD.**

X

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the
County of Suffolk, known as "Map of Sound Breeze, Section 2", Town of Riverhead,
County of Suffolk, State of New York; and

WHEREAS, plans for the construction of various improvements to said roads known and designated as **DOGWOOD LANE SOUTH** and **BAYBERRY ROAD** were submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead did approve a performance bond as to form, sufficiency, manner of execution and surety; and

WHEREAS, said roads, drainage systems, sumps and other improvements have been completed in accordance with the plans and specifications of the Town of Riverhead Planning Board; and

WHEREAS, the construction of the said roads, drainage systems, sumps and other improvements have met with the approval of the Superintendent of Highways of the Town of Riverhead; and

WHEREAS, a copy of the letter from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof; and

WHEREAS, a special search street dedication from Chicago Title Insurance Company of New York under Title No. 9908-02138, has been filed with the Clerk of the Town of Riverhead, together with a deed of dedication and release affecting said roads, drainage systems, sumps and/or other improvements.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provisions of Section 171 of the **Highway Law** of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out certain roads known as **DOGWOOD LANE SOUTH** and **BAYBERRY ROAD**, the said Town roads to consist of the land described in the deeds of dedication dated the 25th day of October, 1999 and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forthwith cause such deeds of dedication to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that the maintenance bond received has been reviewed and approved by the Town Attorney as to form and that the Town Clerk is hereby directed to release the performance bond upon adoption of this resolution by the Town Board; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for 1994 Soundview Golf, 737 Roanoke Avenue, P.O. Box 1240, Riverhead, New York, 11901; the Riverhead

Superintendent of Highways; the Riverhead Planning Board; the Planning Department; the Assessor's Office; the Tax Receiver's Office and the Town Attorney's Office.

Dated: Riverhead, New York
December 21, 1999

**TOWN BOARD OF THE
TOWN OF RIVERHEAD**

VINCENT G. VILLELLA

MARK KWASNA

PHIL CARDINALE

CHRISTOPHER KENT

JAMES LULL

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

_____X
In the Matter of the Laying Out of Certain
Highways in the Town of Riverhead,
County of Suffolk and State of New York,
known as

**ORDER LAYING OUT
ROAD UPON CONSENT
OF OWNER(S)**

**DOGWOOD LANE SOUTH
and BAYBERRY ROAD**
_____X

WHEREAS, application having been duly made for the laying out of certain Town highways in the Town of Riverhead, County of Suffolk, State of New York, known as **Dogwood Lane South and Bayberry Road**, and a dedication and release from the owner(s) of and other persons interested in the lands through which the highways are proposed to be opened, having been given and the Town Board of the Town of Riverhead having given its consent.

NOW THEREFORE, I, the Superintendent of Highways of the Town of Riverhead, County of Suffolk, State of New York, do hereby determine and order that Town highways shall be and the same are hereby laid out in said Town as more particularly described on SCHEDULE "A" annexed hereto.

Dated: Riverhead, New York
November 16, 1999

Charles B. Bloss
CHARLES B. BLOSS, Superintendent
Town of Riverhead Highway Department

CHICAGO TITLE INSURANCE COMPANY

Title No.:

LEGAL DESCRIPTION

DESCRIPTION OF DOGWOOD LANE SOUTH AND BAYBERRY ROAD AS SHOWN ON MAP OF SOUND BREEZE, SECTION 2, MAP NO. 9749

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING AT WADING RIVER, TOWN OF RIVERHEAD, COUNTY OF SUFFOLK AND STATE OF NEW YORK KNOWN AND DESIGNATED AS DOGWOOD LANE SOUTH AND BAYBERRY ROAD, AS SHOWN ON A CERTAIN MAP ENTITLED "MAP OF SOUND BREEZE, SECTION 2" WHICH MAP WAS FILED IN THE OFFICE OF THE CLERK OF THE COUNTY OF SUFFOLK ON 9/29/95 AS MAP NO. 9749.

12/21/99

TOWN OF RIVERHEAD

Resolution # 11179**AUTHORIZES AGREEMENT BETWEEN RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC. AND THE TOWN OF RIVERHEAD**COUNCILMAN CARDINALE offered the following resolution, was seconded byCOUNCILMAN KENT :

WHEREAS, by resolution #145, adopted on March 7, 1995, the Town Board authorized the Supervisor to execute an agreement with the Riverhead Business Improvement District Management Association, Inc. ("RDMA"); and

WHEREAS, from time to time, the agreement has been modified and/or extended pursuant to resolutions of this Town Board; and

WHEREAS, an agreement (a copy of which is annexed hereto) has been submitted by RDMA for Town Board approval, which agreement shall commence on January 1, 2000 and expire on December 31, 2000.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby approves the one (1) year agreement with RDMA; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Business Improvement District Management Association, Inc., Attn: Victoria Staciwo, 112 West Main Street, Riverhead, New York, 11901; the Town Attorney and Jack Hansen, Financial Administrator.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

CONTRACT

THIS AGREEMENT, made and entered into as of the **21st day of December, 1999**, the term of which will extend through December 31, 2000, by and between the TOWN OF RIVERHEAD (hereinafter referred to as the "TOWN"), having its principal office at 200 Howell Avenue, Riverhead, New York, 11901, and the Riverhead Business Improvement District Management Association, Inc. (hereinafter referred to as the "RDMA"), a not-for-profit corporation organized under the laws of the State of New York, having its principal office at 112 West Main Street, Riverhead, NY 11901.

WHEREAS, Article 19-A of the General Municipal Law of the State of New York authorizes municipalities, including Towns, to establish business improvement districts; and

WHEREAS, by Local law #2 of the year 1991, the Town has established the Riverhead Business Improvement District (hereinafter referred to as the "DISTRICT") and accepted its Plan to provide services for the District which will benefit the properties located in said District. The District Plan provides for the following: the location and boundaries of the District; a description of the services provided by the RDMA; the formula for apportioning District costs among the properties within the District; the schedule upon which the special District assessments will be determined, reviewed, challenged, assessed, levied and become due and payable.

WHEREAS, in accepting that Plan, the TOWN designated RDMA as the not-for-profit corporation with which the TOWN would contract for the provision of administrative services necessary to carry out the District plan. In consideration for the provision of these services by the RDMA, the TOWN agrees to pay the RDMA, subject to the terms and condition enumerated herein, all reasonable costs deemed administrative in nature which the RDMA shall incur in the fulfillment of these duties. These costs shall include, but not be limited to, salaried employees including all related insurance and payroll costs and minimal office expenses which shall include the purchase of incidental supplies, however, the purchase of which shall not be in any manner inconsistent with the required procurement provisions attached hereto and from time to time amended by the Town of Riverhead. Payments shall be made to the RDMA from the Business Improvement District account maintained by the Chief Fiscal Officer of the TOWN designated for the proceeds of the Business Improvement District special assessments upon collection by the Tax Receiver. Said payments, in the amount of \$3,000.00 per month, shall be made monthly for expenses incurred the previous month.

The RDMA agrees that the funds paid to it by the TOWN together with any interest earning realized thereon by the RDMA, shall not be used for any purposes other than those enumerated in the District Plan, and further agrees to keep, and upon request, make available to the TOWN'S Chief Fiscal Officer and/or Comptroller, its financial and other records of the funds paid to it and the services performed by it hereunder.

Notwithstanding the foregoing, the TOWN agrees to allow RDMA to pay incidental

expenses not to exceed \$100 for RDMA sponsored events.

The RDMA understands and agrees to provide to the TOWN such proof as deemed necessary regarding expenditures made in connection with RDMA events. Such proof shall include, but not be limited to receipts, statements setting forth the purposes of any RDMA event and number of individuals in attendance.

The RDMA agrees to comply with the procurement requirements of the Town of Riverhead as stipulated in Article 19-A of the New York State General Municipal Law.

The RDMA agrees to account for the expenditure of funds and to furnish verified accounts of this disbursements hereunder, with certified or verified invoices attached thereto, at such times and in such form and detail as may be required by the TOWN'S Comptroller. The RDMA further agrees to furnish to the TOWN'S Comptroller, a final account of the RDMA'S disbursements hereunder within one hundred twenty (120) days after the close of the RDMA'S fiscal year. The RDMA agrees to fulfill its obligations to any agency governing a not-for-profit corporation and furnish the TOWN Comptroller with a copy of any of its findings.

Neither this Agreement nor any rights or obligations hereunder may be assigned by the RDMA without the express written consent of the TOWN.

The RDMA agrees to maintain its Certificate of Incorporation and/or its corporate by-laws, relative to the composition of its Board of Directors in compliance with the law throughout the term of this agreement and any extension hereof.

IN WITNESS HEREOF, this Agreement has been executed by the respective parties as of the date hereinabove set forth.

RIVERHEAD BUSINESS IMPROVEMENT
DISTRICT MANAGEMENT ASSOCIATION, INC.



TIM YOUSIK, President

TOWN OF RIVERHEAD

By: _____

VINCENT G. VILLELLA
Town Supervisor

JACK HANSEN
Town Financial Administrator

APPROVED AS TO FORM

ADAM B. GROSSMAN

RESOLUTION # 1180**Adopted**

072113-03133P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on December 21, 1999, at 2:00 o'clock p.M., Prevailing Time.

The meeting was called to order by Supervisor Villella, and upon roll being called, the following were

PRESENT:

VINCENT G. VILLELLA,	SUPERVISOR
PHIL CARDINALE,	COUNCILMAN
CHRIS KENT,	COUNCILMAN
MARK KWASNA,	COUNCILMAN
JIM LULL,	COUNCILMAN

ABSENT:

The following resolution was offered by Councilman COUNCILMAN KENT, who moved its adoption, seconded by Councilman COUNCILMAN CARDINALE,
Eo-wit:

BOND RESOLUTION DATED DECEMBER 21, 1999.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$40,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE ADDITIONAL COSTS OF THE PREPARATION OF A COMPREHENSIVE MASTER PLAN FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, by bond resolution dated April 7, 1998, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$350,000 serial bonds of said Town to pay the cost of the preparation of a comprehensive master plan for the Town of Riverhead, Suffolk County, New York, including incidental expenses in connection therewith; and

WHEREAS, it has now been determined that the maximum estimated cost of such capital project is \$390,000, an increase of \$40,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$40,000 serial bonds of said Town for such specific object or purpose accordingly; NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the preparation of a comprehensive master plan for the Town of Riverhead, Suffolk County, New York, including incidental expenses in connection therewith, there are hereby

-2-

authorized to be issued an additional \$40,000 serial bonds of the Town of Riverhead, Suffolk County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$390,000, and that the plan for the financing thereof is as follows:

- a. By the issuance of the \$350,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated April 7, 1998 hereby; and
- b. By the issuance of the additional \$40,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 64 of paragraph a of Section 11.00 of the Local Finance Law, no obligations having been heretofore issued for said specific object or purpose. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

-3-

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

- 4 -

Section 8. All other matters, except as provided herein relating to such bonds, including whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-

-5-

2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in full in *The Times Review*, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Villella</u>	VOTING	<u>yes</u>
<u>councilman cardinale</u>	VOTING	<u>yes</u>
<u>Councilman Kent</u>	VOTING	<u>yes</u>
<u>Councilman Kwasna</u>	VOTING	<u>yes</u>
<u>Coouncilman Lull</u>	VOTING	<u>yes</u>

The resolution was thereupon declared duly adopted.

* * * *

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on December 21, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date given

-2-

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice _____

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on December _____, 1999.

Town Clerk

(CORPORATE
SEAL)

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on December 21, 1999, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Riverhead, New York
December 21, 1999



Town Clerk

Adopted

12/21/99

TOWN OF RIVERHEAD

Resolution # 1181**APPROVES APPLICATION OF RIVERHEAD THEATRE CORP.**
(NEW YEAR'S EVE GALA)COUNCILMAN KWASNA offered the following resolution, was seconded byCOUNCILMAN LULL:

WHEREAS, the Riverhead Theatre Corp. has submitted an application for the purpose of conducting a New Year's Eve Gala to be held in Hanger 6 at the Calverton Enterprise Park, Manorville, New York on December 31, 1999 and January 1, 2000 between the hours of 9:00 p.m. and 2:00 a.m.; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application of the Riverhead Theatre Corp. for the purpose of conducting a New Year's Eve Gala to be held in Hanger 6 at the Calverton Enterprise Park, Manorville, New York on December 31, 1999 and January 1, 2000 between the hours of 9:00 p.m. and 2:00 a.m. is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby exempts this event from Chapter 46 "Alcoholic Beverages" of the Riverhead Town Code; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Theatre Corp., Attn: Don Reib, Millbrook Office Park, East Main Street, Riverhead, New York, 11901; Ken Testa, P.E.; Bruce Johnson, Fire Marshall; Andrea Lohneiss, CDA Director and the Riverhead Police Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

12/21/99

Adopted

TOWN OF RIVERHEAD

Resolution # 1182

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF
THE RIVERHEAD TOWN CODE**

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN KWASNA

WHEREAS, the Planning Dept has recommended certain zoning text amendments to Chapter 108 ("Zoning") of the Riverhead Town Code to the Town Board; and

WHEREAS, the Planning Department has recommended that such text amendments be considered a Type I Action pursuant to 6 NYCRR Part 617; and

WHEREAS, the Town Board desires to hold a public hearing on such text amendments.

NOW THEREFORE BE IT RESOLVED, that the Town Board declares itself to be the lead agency in this matter; and be it further

RESOLVED, that the Town Board determines the action to be a Type I Action pursuant to 6 NYCRR Part 617; and be it further

RESOLVED, that the Town Clerk is hereby authorized to refer this matter to the Riverhead Planning Board for its report and recommendation; and be it further

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider an a proposed local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the December 30th, 1999 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Riverhead Planning Board and the Riverhead Building Department.

COUNCILMAN KENT OFFERED THE
RESOLUTION TO BE AMENDED, WHICH
WAS SECONDED BY COUNCILMAN
LULL.

ALL BOARD MEMBERS IN FAVOR OF
AMENDMENT.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 18th day of January, 2000 at 7:20 o'clock p.m. to consider a proposed local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

§ 108-27. Uses.

In the Business A (Resort Business) District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~two (2)~~ of the following permitted uses, special permit uses and their customary accessory uses:

§ 108-34. Uses.

In the Business B (Shopping Center) District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~two (2)~~ of the following permitted uses, special exception or special permit uses and their customary accessory uses:

§ 108-39. Uses.

In the Business C District (Neighborhood Business), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~two (2)~~ of the following permitted uses, special exception or special permit uses and their customary accessory uses:

§ 108-42. Uses.

In the Business D District (General Business), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for ~~two (2)~~ of the following permitted uses, special exception or special permit uses and their customary accessory uses:

§ 108-60. Off-street parking.

G. When any parking area serves two (2) or more uses which have having different parking requirements, the parking requirements for each use shall apply to the extent of the use. Where, however, it can be conclusively demonstrated that one (1) or more of such uses will be generating a demand for parking spaces primarily during periods when the other use or uses is not or are not in operation, the Town Board may, upon application, reduce the total parking spaces required to allow for shared parking between the uses. for that use with the least requirement.

Dated: Riverhead, New York
December 21, 1999

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

** Overstrike represents deletion(s)

DECEMBER 21, 1999

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 1183GENERAL FUND
BUDGET ADJUSTMENTCOUNCILMAN LULL offered the following resolution,which was seconded by COUNCILMAN KWASNA

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

FROM:

001.010100.542607	TOWN BOARD, ORD. CODIFICATION	\$2,000.
001.010100.543920	TOWN BOARD, COUNSELING SERVICE	1,500.
001.011100.511500	TOWN JUSTICE, PERSONAL SERVICE	2,000.
001.012200.524300	SUPERVISOR, EQUIPMENT	400.
001.013100.542700	FINANCE, COMPUTER SUPPLIES	8,000.
001.013300.515502	TAX COLLECTION, P/T CLERKS	7,500.
001.013550.543400	ASSESSMENT, EDUCATION	1,800.
001.016200.545210	SHARED SERVICES, COPIER EXPENSE	8,000.
001.016200.546000	SHARED SERVICES, LIGHTS & HEAT	18,000.
001.016230.542500	POLICE COURT COMPLEX, SUPPLIES	7,500.
001.019100.548300	UNALLOCATED INSURANCE	9,500.
001.019500.547100	TAXES ON TOWN PROPERTY	950.
001.031200.518605	POLICE, SEASONAL EMPLOYEES	15,000.
001.031200.546303	POLICE, GASOLINE EXPENSE	10,000.
001.031250.511100	J.A.B., PERSONAL SERVICES	60,000.
001.045400.541500	AMBULANCE, VEHICLE MAINTENANCE	1,500.
001.067720.511520	PROGRAM FOR AGING, BUS OPERATOR	20,000.
001.067720.511501	PROGRAM FOR AGING, ADMINISTRATOR	15,000.
001.086860.540000	COMM. DEVELOPMENT, CONTRACTUAL EXP.	12,000.
001.000000.390599	APPROPRIATED FUND BALANCE	229,480.

TO:

001.010100.543301	TOWN BOARD, LITIGATION	\$50,000.
001.011100.512500	TOWN JUSTICE, OVERTIME	2,000.
001.012200.549000	SUPERVISOR, MISC. EXPENSE	400.
001.013100.524000	FINANCE, EQUIPMENT	5,000.
001.013100.549000	FINANCE, MISC. EXPENSE	2,500.
001.013100.513500	FINANCE, LONGEVITY	700.
001.013300.511500	TAX RECEIVER, PERSONAL SERVICES	15,000.

DECEMBER 21, 1999

GENERAL FUND BUDGET ADJUSTMENT, CONTINUED

TO:

001.013300.512500	TAX RECEIVER, OVERTIME	\$200.
001.013550.542100	ASSESSMENT, OFFICE SUPPLIES	350.
001.014100.549000	TOWN CLERK, MISC. EXPENSE	400.
001.014400.511500	TOWN ENGINEER, PERSONAL SERVICES	5,000.
001.014400.542100	TOWN ENGINEER, MISC., OFFICE EXPENSE	700.
001.014400.543500	TOWN ENGINEER, CONSULTANTS	30,000.
001.016230.546000	POLICE/COURTS, LIGHTS, HEAT & WATER	2,000.
001.031200.512500	POLICE, NON UNIFORMS OVERTIME	1,000.
001.031200.514100	POLICE, SICK TIME BUYBACK	5,500.
001.031200.515503	POLICE, CROSSING GUARDS	3,000.
001.031200.516650	POLICE, HOLIDAY PAY	2,000.
001.031200.542318	POLICE, K9 EXPENSE	1,500.
001.031200.542404	POLICE, CLEANING ALLOWANCE	350.
001.031200.543401	POLICE, TRAINING EXPENSE	75.
001.031200.546100	POLICE, TELEPHONE EXPENSE	100.
001.031200.549000	POLICE, MISC. EXPENSE	610.
001.031220.542400	BAY CONSTABLE, UNIFORMS	170.
001.031250.549000	J.A.B., MISC. EXPENSE	200.
001.031250.543405	J.A.B., TRAVEL EXPENSE	100.
001.031255.543405	YOUTH COURT, MISC. EDUCATION	150.
001.035100.511100	ANIMAL CONTROL, PERSONAL SERVICES	1,500.
001.035100.513100	ANIMAL CONTROL, LONGEVITY	10.
001.036200.511500	SAFETY INSPECTOR, PERSONAL SERVICES	8,000.
001.036200.512500	SAFETY INSPECTOR, OVERTIME	5,000.
001.036200.542100	SAFETY INSPECTOR, OFFICE EXPENSE	275.
001.036200.542404	SAFETY INSPECTOR, CLEANING ALLOWANCE	75.
001.036200.549000	SAFETY INSPECTOR, MISC. EXPENSE	3,000.
001.045400.545260	AMBULANCE, CELL PHONE EXPENSE	35.
001.045400.546102	AMBULANCE, JAMESPORT TELEPHONE	125.
001.050100.511500	HIGHWAY ADMIN., PERSONAL SERVICES	15,000.
001.050100.542100	HIGHWAY ADMIN., OFFICE EXPENSE	275.
001.067720.511510	NUTRITION, PERSONAL SERVICES	40,000.
001.067720.512500	NUTRITION, OVERTIME	1,500.
001.067720.541530	NUTRITION, AUTO REPAIR EXPENSE	500.
001.067720.543405	NUTRITION, TRAVEL EXPENSE	500.
001.067720.546000	NUTRITION, UTILITIES	25.
001.070200.511500	REC. ADMIN., PERSONAL SERVICES	5,000.
001.070200.542104	REC. ADMIN., SUPPLIES	500.
001.071100.518607	PARKS, SEASONAL EMPLOYEES	1,000.
001.071800.546000	BEACHES, UTILITIES	10.
001.075100.540000	TOWN HISTORIAN, OFFICE EXPENSE	45.
001.080200.511500	PLANNING, STAFF	2,000.
001.080200.542100	PLANNING, OFFICE & TRAVEL EXPENSE	600.

GENERAL FUND BUDGET ADJUSTMENT, CONTINUED
DECEMBER 21, 1999

	TO:	
001.086860.511500	COMM. DEVELOPMENT, PERSONAL SERVICES	14,000.
001.099010.597000	TRANSFER TO CAPITAL PROJECT	\$9,750.
001.099010.597915	TRANSFER TO C.D.A. (915)	176,000.
001.076200.545000	ADULT REC., RENTAL EXPENSE	300.
001.035100.543220	ANIMAL CONTROL, VET EXPENSE	1,110.
001.013450.511500	PURCHASING, PERSONAL SERVICES	4,000.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Luli ☒ Yes ☐ No
 Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 1184**RECREATION PROGRAM FUND****BUDGET ADJUSTMENT**

Councilman Lull offered the following resolution ,
 which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

		FROM:
006.076203.582500	SOCIAL SECURITY EXPENSE	\$100.
006.076204.545110	RENTS & LEASES	400.

		TO:
006.076203.518700	ARTS & CRAFTS INSTRUCTORS	\$400.
006.090300.582500	SOCIAL SECURITY EXPENSE	100.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 1185JOINT SCAVENGER WASTE DISTRICTBUDGET ADJUSTMENT

Councilman Lull offered the following resolution,
 which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

918.099010.596500	TRANSFER TO INS. RES. FUND	FROM: \$10,500.
918.081890.546203	PLANT ELECTRICITY	3,870.
918.081890.511500	PERSONAL SERVICES	TO: \$10,000.
918.090300.582500	SOCIAL SECURITY	500.
918.081890542503	CHEMICALS	3,870.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ **WAS NOT** ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD**GENERAL TOWN DEBT SERVICE**
BUDGET ADJUSTMENT**RESOLUTION #1186**

Councilman Lull offered the following resolution,
which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

384.000000.390599 APPROPRIATED FUND BALANCE

FROM:
\$24,305.

TO:

384.097100.560000.04024	OSBORNE AVE. AMB. - PRINC.	\$200.
384.097100.570000.04098	WR SALT BARN - INTEREST	3,820.
384.097100.571000.04011	PAYING AGENT FEES	15.
384.097100.571000.04012	PAYING AGENT FEES	15.
384.097100.571000.04014	PAYING AGENT FEES	15.
384.097100.571000.04016	PAYING AGENT FEES	5.
384.097100.571000.04017	PAYING AGENT FEES	20.
384.097100.571000.04018	PAYING AGENT FEES	20.
384.097100.571000.04023	PAYING AGENT FEES	15.
384.097100.571000.04024	PAYING AGENT FEES	15.
384.097100.571000.04025	PAYING AGENT FEES	200.
384.097100.571000.04026	PAYING AGENT FEES	50.
384.097100.571000.04036	PAYING AGENT FEES	10.
384.097100.571000.04045	PAYING AGENT FEES	50.
384.097100.571000.04051	PAYING AGENT FEES	15.
384.097100.571000.04084	PAYING AGENT FEES	245.
384.097100.571000.04085	PAYING AGENT FEES	30.
384.097100.571000.04086	PAYING AGENT FEES	210.
384.097100.571000.04091	PAYING AGENT FEES	5.
384.097100.571000.04096	PAYING AGENT FEES	10.
384.097100.571000.04097	PAYING AGENT FEES	10.
384.097100.571000.04098	PAYING AGENT FEES	30.
384.097300.570000.04046	RD IMPROV. PHASE II INTEREST	19,300.

THE VOTE

Cardinale	✓ Yes	No	Kem	✓ Yes	No
Kwasna	✓ Yes	No	Lull	✓ Yes	No
Vilella	✓ Yes	No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD**SCAVENGER WASTE DEBT SERVICE
BUDGET ADJUSTMENT****RESOLUTION # 1187**

Councilman Lull offered the following resolution ,
which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

385.000000.390599 APPROPRIATED FUND BALANCE **FROM:** \$10,250.

385.099010.595918 TRANSFER TO JOINT SCAVENGER WASTE DIST. **TO:** \$10,250.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD**GENERAL FUND DEBT SERVICE
BUDGET ADJUSTMENT****RESOLUTION # 1188**

Councilman Lull _____ offered the following resolution ,
which was seconded by _____ Councilman Kwasna _____

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

383.092801.482200	INTERFUND TRANSFERS	FROM: \$128,200.
		TO:
383.097100.570000.03008	EXT. #35 INTEREST	\$34,210.
383.097100.570000.03016	INC. & IMP. – TEST WELLS 5 & 10	2,590.
383.097100.570000.03037	EXT. #33 INTEREST	2,010.
383.097100.570000.03088	'88 EQUIPMENT – INTEREST	1,075.
383.097100.571000.03008	PAYING AGENT FEES - EXT. #35	250.
383.097100.571000.03012	PAYING AGENT FEES – INC. & IMP.	15.
383.097100.571000.03016	PAYING AGENT FEES – INC. & IMP. TEST WELLS	20.
383.097100.571000.03037	PAYING AGENT FEES – EXT. #33	15.
383.097100.571000.03088	PAYING AGENT FEES – '88 EQUIP.	15.
383.097300.560000.03035	INC. & IMP. OF;	50,000.
383.097300.570000.03035	INC. & IMP. OF FAR, INT.	38,000.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD**SEWER DISTRICT DEBT SERVICE
BUDGET ADJUSTMENT****RESOLUTION # 1189**

Councilman Lull offered the following resolution,
which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

382.097100.570000.02058 RT. 58 EXT. INTEREST

FROM:
\$4,400.

382.097100.571000.02058 PAYING AGENT FEES

TO:
\$4,400.

THE VOTE

Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Kent <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kwasna <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Villella <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD

PUBLIC PARKING DISTRICT
BUDGET ADJUSTMENT

RESOLUTION # 1190

Councilman Lull offered the following resolution,
which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

117.056500.595001 TRANSFER TO GENERAL FUND

FROM:
\$5,000.

117.056500.540000 CONTRACTUAL EXPENSE

TO:
\$5,000.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kern	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

*Adopted***TOWN OF RIVERHEAD****REFUSE & GARBAGE DISTRICT**
BUDGET ADJUSTMENT**RESOLUTION # 1191**

Councilman Lull _____ offered the following resolution,

which was seconded by _____ Councilman Kwasna _____

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

115.081600.524000	EQUIPMENT	FROM:	\$180.
115.081600.524175	TRUCKS		1,625.
115.090600.584500	HOSPITALIZATION EXPENSE		2,530.

115.081600.511500	PERSONAL SERVICES	TO:	\$4,000.
115.081600.543400	EDUCATION EXPENSE		75.
115.081600.549000	MISCELLANEOUS EXPENSE		260.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No

Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No

Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD

Resolution # 1192SEWER DISTRICTBUDGET ADJUSTMENT

Councilman Lull offered the following resolution ,
 which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

114.081300.523011 TREATMENT, PLANT IMPROVEMENTS

FROM:
\$4,800.

114.081100.511500 ADMIN., PERSONAL SERVICES
 114.081100.546100 TREATMENT, TELEPHONE EXPENSE

TO:
\$4,500.
300.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD

RESOLUTION # 1193

THE VOTE

Cardinale ✓ Yes No Kent Yes No

Kwasna ✓ Yes No Lull ✓ Yes No

Villella ✓ Yes No

THE RESOLUTION WAS ✓ WAS NOT

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD**WATER DISTRICT**
BUDGET ADJUSTMENT**RESOLUTION # 1194**

_____ Councilman Lull _____ offered the following resolution,
 which was seconded by _____ Councilman Kwasna _____

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

112.000000.390599	APPROPRIATED FUND BALANCE	FROM: \$69,700.
112.083100.511500	PERSONAL SERVICES	TO: \$55,000.
112.083200.543000	SOURCE OF SUPPLY, PROFESSION SERVICES	5,000.
112.083200.546000	SOURCE OF SUPPLY, POWER LIGHT & FUEL	8,100.
112.083200.546100	SOURCE OF SUPPLY, TELEPHONE EXPENSE	1,600.

THE VOTE

Cardinale ☒ Yes ___ No ___ Kent ☒ Yes ___ No ___
 Kwasna ☒ Yes ___ No ___ Lull ☒ Yes ___ No ___
 Villella ☒ Yes ___ No ___

THE RESOLUTION WAS ☒ WAS NOT ___
 THEREUPON DULY DECLARED ADOPTED

December 21, 1999

TOWN OF RIVERHEADHIGHWAY DEPARTMENT
BUDGET ADJUSTMENTRESOLUTION # 1195

Councilman Lull _____ offered the following resolution,

which was seconded by _____ Councilman Kwasna _____

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

FROM:

111.051400.523009 MISCELLANEOUS, TREES \$50.

TO:

111.051300.513500 MACHINERY, LONGEVITY 50.

THE VOTE

Cardinale ☒ Yes ☐ No Kent ☒ Yes ☐ No
 Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No
 Villella ☒ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT ☐
 THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEADPARKING METER
BUDGET ADJUSTMENTRESOLUTION # 1196Councilman Lull offered the following resolution,which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

002.000000.390599. APPROPRIATED FUND BALANCE	FROM:	\$13,000.
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002.099010.597000	TRANSFER TO DOWNTOWN SIDEWALK CAPITAL PROJECT	TO:	\$13,000.
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THE VOTE

Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Kent <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kwasna <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Vilella <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEADAMBULANCE EQUIPMENT FUND
BUDGET ADJUSTMENTRESOLUTION # 1197

Councilman Lull offered the following resolution,
which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

003.000000.390599. APPROPRIATED FUND BALANCE

FROM:
\$25,750.

003.099010.597120 TRANSFER TO AMBULANCE DIST.

TO:
\$25,750.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD

Resolution # 1198

WATER PLANT WELL #3 IMPROVEMENT

CAPITAL PROJECT

BUDGET ADJUSTMENT

Councilman Lull offered the following resolution ,

which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.095710.494200.30014	SERIAL BOND PROCEEDS	FROM: \$30,000.
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406.083200.543315.30014	WELL CONSTRUCTION	TO: \$30,000.
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THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD

Resolution # 1199LANDFILL CAPPING AND CLOSURECAPITAL PROJECTBUDGET ADJUSTMENT

Councilman Lull offered the following resolution,
 which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

06.081600.491201.80001	LANDFILL REVENUE SHARING	FROM: \$50,000.
406.081600.543500.80001	ENGINEERING EXPENSE	TO: \$50,000.

THE VOTE

Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Kent <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kwasna <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Vilella <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

THE RESOLUTION WAS ADOPTED WAS NOT ADOPTED
THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD

Resolution # 1200

'99 DOWNTOWN SIDEWALK

CAPITAL PROJECT

BUDGET ADOPTION

Councilman Kent offered the following resolution ,
which was seconded by Councilman Cardinale

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

	FROM:
406.054100.491000.43003 SUFFOLK COUNTY DOWNTOWN GRANT	\$62,800.
406.095031.485500.43003 TRANSFER CDBG - 06997 & 98	27,750.
406.054100.493500.43003 FEDERAL I.S.T.E.A. GRANT	130,050.

	TO:
406.054100.543502.43003 ENGINEERING EXPENSE	\$34,485.
406.054100.541206.43003 CONSTRUCTION	103,305.
406.054100.524000.43003 EQUIPMENT	82,810.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD

Resolution # 1202

EDWARDS & RILEY AVENUE DRAINAGE IMPROVEMENT

CAPITAL PROJECT

BUDGET ADOPTION

Councilman Cardinale offered the following resolution,
which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized
to establish the following budget:

406.085400.523008.40071	DRAINAGE CONSTRUCTION	FROM:	\$5,200.
406.085400.523008.40071	ENGINEERING EXPENSE		500.
406.095731.494200.40071	SERIAL BOND PROCEEDS		1,500.

406.085400.543301.40071	LEGAL EXPENSES	TO:	\$7,200.
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THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD

RESOLUTION # 1203

MUNICIPAL GARAGE FUND

BUDGET ADJUSTMENT

Councilman Kent offered the following resolution,
which was seconded by Councilman Lull

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

FROM:

626.016900.540000 CONTRACTUAL EXPENSE \$1,200.

626.016900.524000 OFFICE EQUIPMENT

TO:
\$1,200.

THE VOTE

Cardinale Yes No Kent abstain Yes No
Kwasna ✓ Yes No Lull Yes No
Vilella ✓ Yes No

THE RESOLUTION WAS X WAS NOT ✓
THEREUPON DULY DECLARED ADOPTED

EMBER 21, 1999

TOWN OF RIVERHEAD

Resolution # 1204

MILLBROOK GABLES URBAN RENEWAL

CAPITAL PROJECT

BUDGET ADJUSTMENT

Councilman Lull offered the following resolution,

which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

FROM:

06.086660.521000.40055	ACQUISITION OF REAL PROPERTY	\$3,000.
06.095710.494200.40055	BOND PROCEEDS OF SERIAL BONDS	4,000.

TO:

406.086660.523021.40055	DEMOLITION OF REAL PROPERTY	\$7,000.
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THE VOTE

Cardinale Yes No Kent Yes No
 Kwasna Yes No Lull Yes No
 Villella Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

TOWN OF RIVERHEAD

Resolution # 1205COMMUNITY DEVELOPMENT AGENCYBUDGET ADJUSTMENT

Councilman Cardinale offered the following resolution,
 which was seconded by Councilman Kwasna

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

915.069890.481000 GENERAL FUND TRANSFER
 915.069890.543505 ENGINEERING EXPENSE

FROM:
 \$176,000.
 12,525.

915.086860.547100.0000
 915.097100.570000.90005
 915.099010.597000.90095

PROPERTY TAXES
 INTEREST ON BONDS
 TRANSFER TO CAPITAL PROJECT

TO:
 \$925.
 176,000.
 11,600.

THE VOTE

Cardinale Yes No Kent Yes No
 Kwasna Yes No Lull Yes No
 Vilella Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY DECLARED ADOPTED

December 21, 1999

Adopted

TOWN OF RIVERHEAD

1206

AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT
FOR THE ATTACHED CONTRACTS

COUNCILMAN CARDINALE

_____ offered the following resolution,

which was seconded by _____

COUNCILMAN KWASNA

BE IT RESOLVED, that the Town Board hereby ratifies the four attached contracts and authorizes the Town Supervisor to execute them with his signature; and

BE IT FURTHER, RESOLVED, that Joseph Grattan, Gary Pendzick, Mark Conklin and Andrea Lohneiss receive a certified copy of this resolution along with a copy of their respective contracts.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vilella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED

DECEMBER 21, 1999

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1207**RATIFIES AND APPROVES STIPULATION OF AGREEMENT**COUNCILMAN KWASNA

offered the following resolution which was seconded by

COUNCILMAN CARDINALE

RESOLVED, that the Town Board hereby ratifies and approves the provisions of the two stipulations of agreement by and between the Riverhead Town Superior Officers Benevolent Association (SOA) and the Town of Riverhead dated December 21, 1999; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to SOA President, Steven T. Palmer; Rains & Pogrebin, P.C. and the Office of Accounting.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY DECLARED ADOPTED

AGREEMENT dated December __, 1999.

WHEREAS, the Town of Riverhead ("the Town") has been requested by the Riverhead Town Superior Officers Association ("the SOA") to permit unit members to utilize a payroll deduction for purposes of the New York State College Savings Program ("NYSCSP"); and

WHEREAS, the Town is prepared to grant this request, provided that ~~the SOA~~ ^{ALC} unit members indemnify the Town against errors or omissions that may occur as the result of the implementation of this payroll deduction.

NOW, THEREFORE, the parties agree that:

1. Effective January 1, 2000, or as soon thereafter as is practicable for the Town, the Town shall implement a payroll deduction for those unit members desiring to avail themselves of same for the NYSCSP.

2. Prior to making any payroll deductions for a particular member, the member shall execute a release indemnifying, saving and holding the Town and any and all of its employees, representatives, officers and/or members of the Town Board (collectively "employees") harmless against any and all claims, demands, suits or other forms of liability, including legal expenses, that may arise out of, or by reason of, any action taken or not taken by the Town or any of its employees for the purpose of complying with this payroll deduction agreement, the NYSCSP and/or law.

3. This Agreement constitutes the entire agreement between the Town and the SOA. No other promises have been made. This Agreement, including this paragraph, may only be modified by a written agreement executed by the parties.

4. This Agreement is subject to the approval of the Town Board and shall not be final and binding upon the Town until the Town Board approves the Agreement.

TOWN OF RIVERHEAD

Steve Pal - President

RIVERHEAD SOA

AGREEMENT by and between the Town of Riverhead ("Town") and the Town of Riverhead SOA, Inc. ("SOA").

WHEREAS, prior to September 1, 1999, SOA unit member Richard Smith requested permission to buy back 50 sick days pursuant to the terms of Article XXI(c) of the Town/SOA collective bargaining agreement ("contract"); and

WHEREAS, subsequent to September 1, 1999, Smith requested permission to increase his buy back to 75 days; and

WHEREAS, Article XXI(c) of the Town/SOA contract requires that requests for buy backs be filed with the Town prior to September 1; and

WHEREAS, due to the unique circumstances involved, the parties wish to resolve this matter in an amicable way amongst them, without the uncertainties, costs and risks of litigation.

NOW, THEREFORE, the parties agree as follows:

1. Notwithstanding any provision to the contrary in the contract, the Town shall permit Smith to amend his initial buy back request to reflect a total of 75 days.
2. Nothing herein shall constitute a precedent between these or any other parties. This Agreement, its terms and existence, may not be cited by the SOA to any third party without the Town's prior written permission, except in the event of proceedings to enforce the terms of this Agreement.
3. This Agreement sets forth all of the terms of the parties' agreement with regard to its subject matter. There are no other agreements between the parties, oral or otherwise, including with regard to any modification of this paragraph.
4. This Agreement is subject to ratification and approval by the Town Board.

FOR THE TOWN OF RIVERHEAD:

FOR THE SOA:

Dated: _____

Dated: 12/21/99

Adopted

RESOLUTION # 1208 ABSTRACT #51-99 DECEMBER 16, 1999 (TBM 12/21/99)				
COUNCILMAN LULL offered the following Resolution which was seconded by				
COUNCILMAN KENT				
FUND NAME		CD-12/15/99	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 3,700,000.00	\$ 973,171.26	\$ 4,673,171.26
PARKING METER	002	\$ 10,000.00	\$ -	\$ 10,000.00
AMBULANCE	003	\$ 12,000.00	\$ -	\$ 12,000.00
POLICE ATHLETIC LEAGUE	004	\$ 2,200.00	\$ -	\$ 2,200.00
TEEN CENTER	005	\$ 7,500.00	\$ -	\$ 7,500.00
RECREATION PROGRAM	006	\$ 17,500.00	\$ 1,768.68	\$ 19,268.68
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ 700.00	\$ -	\$ 700.00
CHILD CARE CENTER BUILDING FUND	009	\$ 15,000.00	\$ -	\$ 15,000.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 1,229.61	\$ 1,229.61
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
HIGHWAY	111	\$ 450,000.00	\$ 72,998.89	\$ 522,998.89
WATER	112	\$ 1,100,000.00	\$ 71,326.23	\$ 1,171,326.23
REPAIR & MAINTENANCE	113	\$ 275,000.00	\$ -	\$ 275,000.00
SEWER	114	\$ 400,000.00	\$ 30,679.99	\$ 430,679.99
REFUSE & GARBAGE COLLECTION	115	\$ 10,000.00	\$ 3,833.49	\$ 13,833.49
STREET LIGHTING	116	\$ 110,000.00	\$ 15,300.11	\$ 125,300.11
PUBLIC PARKING	117	\$ 40,000.00	\$ 1,894.42	\$ 41,894.42
BUSINESS IMPROVEMENT DISTRICT	118	\$ 4,000.00	\$ 180.78	\$ 4,180.78
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 90,000.00	\$ 166.91	\$ 90,166.91
WORKER'S COMPENSATION FUND	173	\$ 120,000.00	\$ 5,550.41	\$ 125,550.41
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ 325,000.00	\$ 3,200.60	\$ 328,200.60
UNEMPLOYMENT INSURANCE FUND	176	\$ 5,000.00	\$ -	\$ 5,000.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 668.72	\$ 668.72
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 13,000.00	\$ -	\$ 13,000.00
SEWER DISTRICT DEBT	382	\$ 200,000.00	\$ -	\$ 200,000.00
WATER DEBT	383	\$ 400,000.00	\$ -	\$ 400,000.00
GENERAL FUND DEBT SERVICE	384	\$ 150,000.00	\$ 131,000.00	\$ 281,000.00
SCAVENGER WASTE DEBT	385	\$ 175,000.00	\$ -	\$ 175,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 555,847.87	\$ 555,847.87
EIGHT HUNDRED SERIES	408	\$ -	\$ 9,508.11	\$ 9,508.11
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 320,000.00	\$ -	\$ 320,000.00
YOUTH SERVICES	452	\$ -	\$ 1,693.48	\$ 1,693.48
SENIORS HELPING SENIORS	453	\$ -	\$ 2,450.03	\$ 2,450.03
EISEP	454	\$ -	\$ 192.14	\$ 192.14
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 110,000.00	\$ 5,621.38	\$ 115,621.38
MUNICIPAL GARAGE	626	\$ 75,000.00	\$ 12,044.73	\$ 87,044.73
TRUST & AGENCY	735	\$ -	\$ 672,037.53	\$ 672,037.53
SPECIAL TRUST	736	\$ 250,000.00	\$ 41,700.00	\$ 291,700.00
COMM. PRES. FUND	737	\$ -	\$ 200,000.00	\$ 200,000.00
CDA-CALVERTON	914	\$ 100,000.00	\$ -	\$ 100,000.00
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 397,088.87	\$ 397,088.87
JOINT SCAVENGER WASTE	918	\$ -	\$ 18,513.56	\$ 18,513.56
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 8,486,900.00	\$ 3,229,666.60	\$ 11,716,566.60

THE VOTE

Cardinal ☒ Yes ☐ No Kent ☒ Yes ☐ No

Kwasna ☒ Yes ☐ No Lull ☒ Yes ☐ No

Villella ☐ Yes ☐ No

THE RESOLUTION WAS ☒ WAS NOT

THEREUPON DULY DECLARED ADOPTED

RESOLUTION # 1208 ABSTRACT #50-99 DECEMBER 9, 1999 (TBM 12/21/99)				
COUNCILMAN LULL offered the following Resolution which was seconded by				
COUNCILMAN KENT				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 507,157.81	\$ 507,157.81
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ 359.21	\$ 359.21
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	026	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ 96.00	\$ 96.00
HIGHWAY	111	\$ -	\$ 176,762.61	\$ 176,762.61
WATER	112	\$ -	\$ 1,558.45	\$ 1,558.45
REPAIR & MAINTENANCE	113	\$ -	\$ 3,000.00	\$ 3,000.00
SEWER	114	\$ -	\$ 10,291.90	\$ 10,291.90
REFUSE & GARBAGE COLLECTION	116	\$ -	\$ 11,800.30	\$ 11,800.30
STREET LIGHTING	116	\$ -	\$ 24,496.94	\$ 24,496.94
PUBLIC PARKING	117	\$ -	\$ 1,877.90	\$ 1,877.90
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 10,065.13	\$ 10,065.13
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 1,743.64	\$ 1,743.64
WORKER'S COMPENSATION FUND	173	\$ -	\$ 8,003.20	\$ 8,003.20
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 6,289.26	\$ 6,289.26
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ 39,882.44	\$ 39,882.44
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 3,814.91	\$ 3,814.91
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 18,015.30	\$ 18,015.30
EIGHT HUNDRED SERIES	408	\$ -	\$ 33,147.00	\$ 33,147.00
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ 62,744.41	\$ 62,744.41
YOUTH SERVICES	452	\$ -	\$ 215.30	\$ 215.30
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 84,447.15	\$ 84,447.15
MUNICIPAL GARAGE	626	\$ -	\$ 846.38	\$ 846.38
TRUST & AGENCY	735	\$ -	\$ 399,065.79	\$ 399,065.79
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMM. PRES. FUND	737	\$ -	\$ 64,375.00	\$ 64,375.00
CDA-CALVERTON	914	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 31,242.53	\$ 31,242.53
JOINT SCAVENGER WASTE	918	\$ -	\$ 15,360.85	\$ 15,360.85
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 1,516,659.41	\$ 1,516,659.41

December 21, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 1209
Adopted December 21, 1999

REAPPOINTS MEMBERS TO ARCHITECTURAL REVIEW BOARD

COUNCILMAN KENT offered the following resolution, which was
seconded by COUNCILMAN CARDINALE :

WHEREAS, the term of service of Roy Sokoloski and Sheryl Heather with the Town of Riverhead Architectural Review Board did expire; and

WHEREAS, Roy Sokoloski and Sheryl Heather has expressed their willingness to continue to serve; and

WHEREAS, the Planning Director has made his recommendation to the Town Board pursuant to Section 46 A(5) of the Code of the TOWN OF RIVERHEAD.

NOW, THEREFORE, BE IT

RESOLVED, that Roy Sokoloski and Sheryl Heather, be and is hereby reappointed as a member of the Town of Riverhead Architectural Review Board, effective December 21, 1999, for a three (3) year term; and be it further

RESOLVED, that said term shall expire on December 31, 2002; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Roy Sokoloski 400 Briarwood Park, NJ 07647 and Sheryl Heather 515 Montauk Highway, Westhampton NY 11978, and to the Planning Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THE UPON DULY DECLARED ADOPTED

Adopted

DECEMBER 21, 1999

TOWN OF RIVERHEAD

AUTHORIZATION TO REJECT AND RE-BID 2000 MINI-VAN RESOLUTION # 1210

COUNCILMAN KENT offered the following resolution, which was seconded
by COUNCILMAN KWASNA.

WHEREAS, the Town Clerk accepted and opened bids for 2000 MINI-VANS on
December 9, 1999 and

WHEREAS, the original bid was incorrect and has to be rejected and

WHEREAS, the bid for 2000 MINI-VANS has to be re-bid.

BE IT RESOLVED, that the Town Clerk is hereby authorized to reject all bids
received on December 9, 1999 for the 2000 MINI-VAN bid.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the
following public notice in the **December 30, 1999** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward
a copy of this resolution to the Purchasing Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

AND DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **MINI-VAN** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:15 a.m. on January 12, 2000.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR MINI-VAN.**

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

Barbara Grattan, Town Clerk

Adopted

December 21, 1999

TOWN OF RIVERHEAD

Resolution # 1211

TRANSFER OF AN ACCOUNT CLERK TYPIST TO THE HIGHWAY DEPARTMENT/JUSTICE COURT

COUNCILMAN CARDINALE offered the following
resolution, which was seconded by COUNCILMAN LULL

WHEREAS, one part-time position for Account Clerk Typist in the Highway Department exists and one part-time position for Account Clerk Typist in the Justice Court exists; and

NOW, THEREFORE, BE IT RESOLVED, that effective December 27, 1999, the Town Board hereby transfers Kimberly Lucas to both positions of Account Clerk Typist on Group 9, Step 5 of the Clerical & Supervisory Salary Schedule of the CSEA Contract; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Kimberly Lucas, the Highway Department, Justice Court and the Office of Accounting.

THE VOTE

Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Kent <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kwasna <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Villella <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY DECLARED ADOPTED